D06.2010.V.01.001

Ko, Augustine

From: Jeffrey, Barb

Sent: September 22, 2010 8:49 AM

To: Ko, Augustine

Subject: FW: York Region Urban Boundary Expansion

fyi - not sure if it's the Vaughan OP or ROPA 2 (we're treating it as if ROPA 2 over here)

Barbara Jeffrey, MCIP, RPP
Manager, Land Use Policy and Environment
Long Range and Strategic Planning Branch
Regional Planning and Development Services Department

Telephone: 905-830-4444 ext 1526 Email: barbara.jeffrey@york.ca

From: Sustainable Vaughan [mailto:sustainablevaughan@gmail.com]

Sent: Tuesday, September 21, 2010 8:56 AM

To: Regional Chair; Mayor Phyllis Morris; Mayor James R. Young; rgrossi@georgina.ca; dwheeler@georgina.ca; Mayor Margaret Black; Mayor Frank Scarpitti; Regional Councillor Jack Heath; Regional Councillor Jim Jones; Regional Councillor Gordon Landon; jvirgilio@markham.ca; Mayor Tony Van Bynen; Regional Councillor John Taylor; officemayor@richmondhill.ca; Regional Councillor Brenda Hogg; Regional Councillor Vito Spatafora; mayor@vaughan.ca; joyce.frustaglio@vaughan.ca; Regional Councillor Mario Ferri; Regional Councillor Gino Rosati

Cc: Bottomley, Paul; Jeffrey, Barb

Subject: York Region Urban Boundary Expansion

Mayors and Councillors,

The urban boundary expansion proposed in Vaughan's Official Plan which York Region Council is prepared to approve does not comply to the Places to Grow Act. In voting to approve the urban boundary expansion, York Region council will knowingly be approving an official plan that does not meet the Places to Grow Act criteria for an urban boundary expansion. The Province does not review the municipality's official plan, and is unaware of this lack of compliance. In voting to approve the expansion, York Region Council will be misrepresenting the contents of Vaughan's Official Plan to the Province. Vaughan Council knowingly approved an official plan which does not meet the Places to Grow act and York Region Council will be doing the same.

Below are the sections from the Places to Grow Act that the Vaughan Official Plan fail.

1) Not providing the six missing intensification numbers in the official plan results in non compliance to Places to Grow Act 2.2.8.2 a) (See Hemson, "Housing Analysis and Employment Land Needs, Final Report" Table 2)

Places to Grow Act 2.2.8.2 a) "a settlement area boundary expansion may only occur...where it has been demonstrated that - a) sufficient opportunities to accommodate forecasted growth ..., are not available."

2) By removing 70% of apartments from the greenfield lands the Official Plan is in non compliance to

Places to Grow Act 2.2.8.2 b) & c) (See Hemson, "Housing Analysis and Employment Land Needs, Final Report" Table 6)

Places to Grow Act 2.2.8.2 b) "the expansion makes available sufficient lands for a time horizon not exceeding 20 yrs."

and

Places to Grow Act 2.2.8.2 c) "the timing of the expansion and the phasing of development within the designated Greenfield area will not adversely affect the achievement of the intensification target and density targets, and other policies of this Plan".

3) Removing apartments from the urban boundary expansion lands fails Places to Grow Act Section 2.1.

Places to Grow Act Section 2.1 "This plan is about building complete communities, whether urban or rural. These are communities that are well-designed, offer transportation choices, accommodate people at all stages of life and have the right mix of housing, a good range of jobs, and easy access to stores and services to meet daily needs"

York Region has identified apartments in the expansion lands, the Vaughan Official Plan removed these and added more housing units then what the Region allocated. (See Hemson, "Housing Analysis and Employment Land Needs, Final Report" Table 8 & Table 5: York Region 2031 Whitebelt Area Unit Requirement by Structure Type and Local Municipality).

Sustainable Vaughan has offered a five year moratorium of expanding the urban boundary. Please make the effort to understand what you are approving and the basis on what it was founded on.

http://www.yorkregion.com/opinion/editorial/article/870966--issue-of-sprawling-concern-to-vaughan

Thank you,

Sony Rai Sustainable Vaughan 416-505-9113

Goodmans

Direct Line: 416.597.4119 rhouser@goodmans.ca

September 3, 2010

Our File No.: 101330

Via Email and Courier - email: jeffrey.abrams@vaughan.ca

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

Dear Members of Council:

Re: City of Vaughan Draft New Official Plan (April 2010)
Costco Wholesale Canada Limited - 71 Colossus Drive

We are solicitors for Costco Wholesale Canada Limited ("Costco") in respect of the above-noted matter. Costco operates a retail warehouse membership club at 71 Colossus Drive, in the City of Vaughan (the "Costco Site") and has recently obtained site plan approval for a gas bar operation.

We have reviewed the draft of Vaughan's new Official Plan dated April 2010 (the "Draft OP") on behalf of Costco. We note that the Costco Site is proposed to be designated "Commercial Mixed Use" and "Mid-Rise Mixed-Use" in the Draft OP. There is a Proposed Major Collector road and Highway 400 Road Crossing shown abutting and potentially impacting the Costco Site on Schedule 9 to the Draft OP. As well, the Costco Site is within Required Secondary Plan Area 4 on Schedule 14.

The following are our comments:

1. Permission for the Existing Retail Warehouse Membership Club

The "Commercial Mixed Use" and "Mid-Rise Mixed-Use" designations in the Draft OP permit retail uses to comprise up to 50% of the total gross floor area of all uses on the lot. They do not, however, specifically permit "Retail Warehouses" as defined in the Draft OP. We also note that the existing Costco store would fit the definition of a low-rise building in accordance with Draft OP Policy 9.2.3.4, and that this building form is not permitted in either designation.

On the basis of the above, we believe there is some doubt as to whether the proposed policies that would apply to the Costco Site will maintain the current "Retail Warehouse" permission, and permission for the existing store configuration and retail gross floor area. We request that "Retail

Goodmans

Warehouses" be added as a permitted use to the "Commercial Mixed Use" and "Mid-Rise Mixed-Use" designations, or, if the intention is indeed to restrict such uses in these designations, that a Site Specific Policy be added to Chapter 13 of the Draft OP to explicitly permit the existing Costco single-storey retail warehouse.

2. Permission for the Approved Gas Station

We note that gas stations are permitted in the "Commercial Mixed Use" and "Mid-Rise Mixed-Use" designations, but only on an arterial road, and subject to certain other criteria. Colossus Drive is not an arterial road on Schedule 9 to the Draft OP.

We wish to reiterate the prior request of Costco's planning consultant in this matter, MMM Group, that the existing permission for an automobile gas bar/service station on the Costco Site be explicitly continued through a Site Specific Policy added to Chapter 13 of the Draft OP (MMM Group's letter of June 14, 2010 is attached hereto). The current Official Plan permits a gas bar/service station on the Costco Site and required zoning permissions are in place. Costco received site plan approval for a gas bar in February of this year. The Draft OP's limitation of gas stations to only arterial roads would inappropriately remove existing policy permissions for Costco's approved gas bar.

3. Future Transportation Network

Schedule 9 to the Draft OP shows a Proposed Major Collector road and Highway 400 Road Crossing abutting the Costco Site. We are attaching hereto MMM Group's letter of August 31, 2010 to engineering and planning staff respecting this matter. Costco wishes to be consulted on the planned transportation network as it affects the Costco Site, as it is concerned about potential impacts on functional ingress and egress onto Colossus Drive with the introduction of a new overpass.

4. Required Secondary Plan

The Costco Site is within Required Secondary Plan Area 4 on Schedule 14 to the Draft OP, but the Weston Road and Highway 7 Secondary Plan has not yet been completed. Proposed Policy 10.1.1.4 of the Draft OP effectively freezes development on lands for which a Secondary Plan is required but not completed. We request that Policy 10.1.1.4 be revised to appropriately permit consideration of development applications in advance of completion of a future Secondary Plan.

Goodmans

On Costco's behalf we hereby request notice of any consideration of, and decisions respecting, the new Vaughan Official Plan, Secondary Plans thereto, and any Environmental Assessments or transportation studies related to the proposed Major Collector road and Highway 400 Crossing.

Please do not hesitate to contact me should you have any questions.

Yours very truly,

GOODMANS LLP

Per:

Roslyn Houser

cc: S

Stuart Shamis Renee Hanson Diana Santo

Chad B. John-Baptiste

Carly 12

Darryl Bird

\5879649



MMM Group Limited 100 Commerce Valley Drive West Thornhill, ON Canada L3T 0A1 t: 905.882.1100 | f: 905.882.0055

so.mmm.ca

June 14, 2010

City of Vaughan
Jeffrey Abrams
Clerk's Department
2141 Major Mackenzie Drive
Vaughan, Ontario, Canada
L6A 1T1

Attn: Jeffrey Abrams, City Clerk

Subject:

Official Plan Review, April 2010 Draft Official Plan Vol. 1

71 Colossus Drive, City of Vaughan

MMM Group Ltd thanks you on behalf of Costco Wholesale Canada Ltd for the opportunity to provide comments on the City of Vaughan's Official Plan Review. Costco is located in the northwest quadrant of Highways 400 and 407, and encompasses 5.28 hectares and contains an existing Costco warehouse with a recently approved site plan for a new gasbar per the Committee of the Whole of February 2, 2010.

The Subject Lands are currently identified as "Vaughan Corporate Centre" in the "in force" City of Vaughan Official Plan (OPA 600) and "Corporate Centre District" in the Vaughan Corporate Centre Secondary Plan (OPA 500). Section 3.3.2 of OPA 500 indicates that "retail uses of all types and size" are permitted uses in the "Corporate Centre District." Therefore, a gasbar is currently a permitted use in the Official Plan. Furthermore, the City of Vaughan Zoning By-law 1-88, includes a site specific exception, 9(989), regarding retail warehousing with food sales which permits an accessory gasbar. Specifically, retail warehousing with food sales is defined as:

"a building or part of a building in which goods and merchandise including foods, are displayed, stored and sold in a warehouse format and may include an eating establishment - take out, personal service shops, a pharmacy, an optical dispensary, a hearing aid dispensary, the servicing of motor vehicles including oil changes, the dispensing of fuel provided that the structure for the fuel dispensing is located within 50 metres of the "retail warehouse with food sales" building, and the installation of tires sold within the premises." (Sec. 989-ai)



Draft Official Plan Review

The Subject Lands are identified as Commercial Mixed-Use and a portion of the site to the west as Mid-Rise Mixed Use on Schedule 13-R of the Draft Official Plan. The permitted uses for both of these designations include gas stations subject to criteria as outlined in section 9.2.2.4 (b.ix.) and 9.2.2.7 (b.iv) of the Draft Official Plan:

- A. the use is located on an arterial street as indicated on Schedule 9:
- B. the use is limited to one gas station per intersection; and,
- C. no gas stations shall be permitted at the intersection of two arterial streets as indicated on Schedule 9.

The subject site is not located on an arterial street but along a major collector road. The manner in which the policy is currently structured would not permit the gas bar use on the Subject Property. Should the zoning by-law be amended to conform with this policy, the gas bar use would become legal non-conforming. We therefore respectfully request an amendment to the wording of Section 9.2.2.7 (b.iv) to include recognition of the Subject Site as an exception to the policy. We are prepared to meet with Planning Staff to discuss this request should staff require further discussion.

We would like to thank you for the opportunity to provide input into this initiative, and request that we be circulated on any draft documents, and/or reports, meetings notices, decisions, etc. related to this initiative. We look forward to further dialogue with staff.

Yours very truly,

MMM GROUP LIMITED

Diana Santo, MCIP, RPP Senior Planning Director

Planning and Environmental Design

C.c. Renee Hanson, Costco Wholesale John Paul Andrew, Mulvanny Chad B. John-Baptiste, MMM Group Ltd John Zipay, City of Vaughan

Mauro Peverini, City of Vaughan

M:\Jobs\Costco\Gasbars\14.06232.001.P01 - Gasbar Vaughan\Letters\Draft OP review- rev 2.doc



MMM Group Limited 100 Commerce Valley Drive West Thornhill, ON Canada L3T 0A1 t: 905.882.1100 | fr 905.882.0055

www.mmm.ca

August 31st, 2010 14.06232.001.P01

Michael Frieri City Project Manager Engineering Planning & Studies City of Vaughan 2141 Major Mackenzie Drive Vaughan, ON L6A 1T1 Clement Chong
Policy Planner
Policy Planning Department
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Mr. Frieri & Mr. Chong

Subject:

Official Plan Review, April 2010 Draft Official Plan Vol. 1

City of Vaughan Transportation Master Plan

71 Colossus Drive, City of Vaughan

MMM Group Ltd is submitting this letter in response to the City of Vaughan's proposed future transportation network, as shown on Schedule 9 of the draft Official Plan and in the City of Vaughan's preliminary preferred Transportation Network, on behalf of our client Costco Wholesale Canada Ltd.

Costco Wholesale Canada currently operates a retail warehouse located at 71 Colossus Drive. Schedule 9, of the proposed draft Official Plan, indicates a Highway 400 elevated Road Crossing and a proposed Major Collector Road to connect the Vaughan Metropolitan Centre with Colossus Drive. The language in the draft Official Plan (Section 4.2.1.12) does not provide an acknowledgement of the need to complete an Environmental Assessment to determine the exact location of such a crossing and the need to assess the impacts of such crossings on adjacent landowners and existing businesses.

Costco is concerned about the impacts this proposed crossing will have on the existing operations and in particular with regards to appropriate and functional ingress and egress onto Colossus Drive for Costco in order to maintain appropriate access to the site. Therefore, in addition to the policy clarification reference above we request notification of any Environmental Assessments or transportation studies related to this crossing.



Please do not hesitate to contact me at (905) 882-4211 ext. 6328, and we look forward to your response.

Yours very truly,

MMM GROUP LIMITED

Diana Santo, MCIP, RPP Senior Planning Director

Planning and Environmental Design

C.c. Loren Polonsky, AECOM Canada Ltd.

Renee Hanson, Costco Wholesale

John Paul Andrew, Mulvanny

Chad B. John-Baptiste, MMM Group Ltd

M:\Jobs\Costco\Gasbars\14.06232.001.P01 - Gasbar Vaughan\Letters\Flyover - August 30, 2010

Ko, Augustine

From:

Chad John-Baptiste [John-Baptiste @mmm.ca]

Sent:

July 8, 2011 4:36 PM

To:

Ko, Augustine

Cc:

Darryl Bird

Subject:

City of Vaughan Adopted Official Plan - Costco Comments

Attachments: Letter to City Clerk - City of Vaughan - Sept 3-10.pdf

Good afternoon Augustine,

In discussions today with City of Vaughan staff, out of an abundance of caution, please find attached comments previously submitted to the City of Vaughan a few days prior to adoption with respect to the Vaughan Official Plan for York Region's review and consideration during the approval process. We kindly request that the Region consider the attached as part of their review and ultimate approval of the Vaughan Official Plan

Should you have any questions, feel free to contact our office.

Regards,

Chad

Chad B. John-Baptiste, BES, MCIP, RPP

Senior Planner/Project Manager

Associate

Planning and Environmental Design, Infrastructure and Environment

MMM Group Limited

100 Commerce Valley Drive West Thornhill, Ontario, Canada L4J 0C9 t: 905.882.1100 x 6328 | f: 905.882.7276

John-BaptisteC@mmm.ca | www.mmm.ca

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L4K 3P3 T. 905.669.4055 F. 905.669.0097 klmplanning.com

File: P-2152

June 29, 2011

Regional Municipality of York 17250 Yonge Street, 4th Floor Newmarket, Ontario L3Y 6Z1

Attention:

Mr. Brian Tuckey

Commissioner of Planning and Development Services

Re:

Proposed Modifications to the New City of Vaughan Official Plan Block 40/47 Block Plan and Secondary Plan Amendment Applications

City of Vaughan, Regional Municipality of York

Dear Mr. Tuckey:

KLM Planning Partners Inc. has recently been retained by the Block 40/47 landowners group in the City of Vaughan to provide land use planning services required for the continued review of the Block Plan and Official Plan Amendment Applications that were submitted to the City of Vaughan in February 2003. The lands are on the south side of Teston Road, east and west of Pine Valley Drive and north of the valley system. A copy of the Block Plan is attached for your information and reference.

Since 2003, the applications have been reviewed, two public meetings have been held and the development limits have been established through several site visits. A revised Master and Environmental Servicing Plan (ME/SP) and Block Plan were submitted to the City of Vaughan on March 22, 2011 and April 11, 2011 respectively and are currently being reviewed by the City of Vaughan staff and external agencies.

We are generally supportive of the overall direction of the new Official Plan; however, we have some very limited site-specific concerns that pertain to the proposed residential development contemplated through the Block Plan and Secondary Plan Applications which were submitted in 2003 and are currently under review.

Attached, you will find a table which identifies firstly the specific policy issue and secondly, a resolution to facilitate the executive style residential development that was originally contemplated in OPA #600, and which has been under review since 2003. This letter and the issues identified within it complement the letter submitted on behalf of the Block 40/47 landowners group under the cover of Templeton Planning Ltd., dated June 11, 2010 and October 14, 2010.

We recommend that the proposed modifications be incorporated into the new Official Plan in order to facilitate a development that is consistent and compatible with the longstanding applicable Official Plan (OPA #600), the Places to Grow Plan and the Provincial Green Belt Plan.

We would appreciate an opportunity to meet with you and your staff to discuss our request and to provide more information with respect to the requested modification to the City of Vaughan Official Plan 2010.

In accordance with the Notice of Adoption issued on September 22, 2010 from the City of Vaughan with respect to the new City of Vaughan Official Plan, we hereby request notice of the proposed decision. Additionally, please advise me of the date when the City of Vaughan Official Plan will be considered by Regional Council.

Please do not hesitate to contact the undersigned should you have any questions or comments.

I look forward to hearing from you in the near future.

Yours very truly,

KLM PLANNING PARTNERS INC.

Mark Yarranton, B.E.S., RPP.

Partner

MY:rml

c:

Ms. Heather Konefat – Director Community Planning Branch, Region of York

Mr. Augustine Ko – Senior Planner, Region of York

Mr. John MacKenzie – Commissioner of Planning, City of Vaughan

Ms. Diana Birchall – Director of Policy Planning, City of Vaughan

Mr. Roy McQuillan – Manager of Policy Planning, City of Vaughan

Mr. George Karakokkinos – NuLand Management Inc.

	Issue	Resolution/Modification
1.	Greenbelt policies in the Official Plan	Comments/Need for Modification:
	should not apply to the Block 40/47 lands	Section 3.4.2 – "The Greenbelt", contains policies that apply to all the lands in Block 40/47 as a result of the mapping in Schedule 2 "Natural Heritage Network" and Schedule 4 "Oak Ridges Moraine Conservation Plan and Greenbelt Plan Areas".
		We have written correspondence from MMAH and the City of Vaughan indicating that the transitional policies in Section 5.2.1 of the Greenbelt Plan allow the development to proceed. The position of the City of Vaughan and MMAH indicate that these are transitional policies and that the Policies within the Greenbelt Plan do not apply. Accordingly, the policies within OP2010 which support the Greenbelt should not apply to these lands.
		Proposed Resolution:
		Adding the following policy to Section 3.4.2. would help alleviate this concern:
		"3.4.2.22 — Further applications within the Block 40/47 Planning Area required under the Planning Act or Condominium Act for the lands identified on Schedules 2 and 4 as "Special Policy Area" are not required to conform with the Greenbelt Plan or Policies 3.4.2.1 to 3.4.2.21 of this plan, in consideration that Section 5.2.1 of the Greenbelt Plan allows an Official Plan approved to be recognized through a municipal conformity exercise where the Official Plan was amended prior to December 16, 2004 (OPA 600 was adopted by Vaughan Council in September 2000 and approved in June 2001)."
		Schedule 2 and Schedule 4 are also amended to indicated the "Special Policy Area"
		(see proposed modifications prepared by KLM Planning Partners Inc, April 11, 2011)

2. There is a Mapping Conflict between Schedule 1 – "Urban Structure" and Schedules 13 and 13-H, "Land Use"

Comments/Need for Modification:

There is a conflict with schedule 2 and schedule schedules 13 and 13-H as Schedule 2 identifies lands within the Greenbelt area as "Community Area", whereas Schedules 13 and 13-H designate the same area as "Agricultural".

Proposed Resolution:

Schedules 13 and 13-H need to be amended to reflect the Community Areas designated found in Schedule 1 and based on the provisions for "executive housing" found in Policy 4.2.1.2 in OPA #600.

Furthermore, the mapping needs to be amended to reflect the generally accepted boundary between the Natural Area and the Urban Area as staked by the applicant, TRCA and the City regardless of the fact that it is not a limit approved through the Secondary Plan and Block Plan processes. The staked limit is more accurate than the limits shown in OPA 600, and was conducted in consultation with the TRCA and the City of Vaughan. Section 3.2.3.10 allows minor modifications to the boundary without an amendment to the plan, with the support of the appropriate studies (i.e. MESP). The limits of development should be amended to reflect the staked limits, which were conducted in consultation with TRCA and the City of Vaughan, and amendments to the limit will be refined throughout the development application process. Mapping also needs to be amended to reflect revision SWM Pond locations

(see proposed modifications prepared by KLM Planning Partners Inc, April 11, 2011)

 The maximum permitted Gross Floor Area for retail uses (small scale convenience retail) in low-rise residential areas (Section 9.2.2.1) is insufficient to allow a range of local commercial uses

Comments/Need for Modification:

The amount of GFA permitted in the low-rise residential section of OP 2010 restricts the size to a maximum of 185m^2 which is not sufficient to support commercial uses contemplated in the Local Commercial and Neighbourhood Commercial Centres contemplated by the Block Plan. The intent of Section 9.2.2.1 is permit a one (1) local shop

within a community such as a variety store. This provision restricts any other commercial uses that are ancillary to a local community such as a bank, a salon, dry cleaners, etc. This policy will result in the local residents having to drive further for services that meet their day to day needs.

The modification should reflect the commercial land use designation and permitted uses established in OPA #600, which the Block Plan and Secondary Plan were submitted under.

Proposed Resolution:

Adding the following policy to Section 5.2.3 – "Supporting and Transforming the Retail Sector":

"5.2.3.8. Local Convenience uses intended to provide commercial uses for the daily needs of the immediate residents including retail stores, personal service shops, offices and similar uses shall be permitted at the south east corner of Teston Road and Pine Valley Drive, to a maximum of 5, 000m². A Neighbourhood Commercial Centre shall be permitted at the south west corner of Weston Road and Teston Road, which may include a food store, a drug store, other retail stores, pharmacies, banks and financial institutions, business and professional offices, personal service shops, restaurants, services and gas stations with a maximum Gross Floor Area of 5,000 – 15,000m²."

 OP 2010 currently prohibits rear lots and discourages cul-de-sacs and window streets orienting new development to maximize public access and views to natural areas.

Comments/Need for Modification:

The wording respecting the prohibition of rear lots and the discouragement of cul-de-sacs and window streets is very restrictive as to the design of residential areas, particularly along arterial road and natural areas as contemplated in the official plan. The provisions pertaining to rear lots is so restrictive, that if a situation came up where the only practical design would require rear lots on an arterial road, that an amendment to the official plan would be required. This policy is extremely unreasonable and will result in the need for an amendment to the Official Plan, where rear lotting is

unavoidable. Additionally, this area was planned for predominantly "executive housing" uses on large lots with municipal services. This style of housing lends itself to being more exclusive, undisclosed and private than a typical subdivision. Requiring public streets, parks or landscaped walkways adjacent to natural areas will discourage the privacy anticipated by the residents of this type of community, contrary to the anticipated development contemplated by OPA 600. The wording of both these sections should encourage alternative built form, when practical, but not restrict these types of development completely.

Proposed Resolution:

The wording of both these sections should encourage alternative built form, when practical, but not restrict these types of development completely. We proposed to add the following policy to Section 9.1.1 – "The Public Realm":

"9.1.1.12 - Notwithstanding Policies 9.1.1.3, 9.1.1.4, and 9.1.1.8, the use of rear lotting on arterial roads and natural areas shall be permitted within the Block 40/47 Planning Area to facilitate a private and exclusive character within the design of this Executive Housing area."

Policy 3.7.2.18 – "Stormwater
 Management" states that
 "That new stormwater facilities be located
 outside of valley and stream corridors
 unless approved by the City and the TRCA

Comments/Need for Modification:

Part of the Stormwater Management Pond on the west side of Pine valley drive is located within the valley feature.

Proposed Resolution:

Schedules 13 and 13-H have been revised to reflect the revised location of the stormwater management ponds as a "Infrastructure and Utilities" designation on the land use plan.

(see proposed modifications prepared by KLM Planning Partners Inc, April 11, 2011)

 Policy 7.3.3.4 – Parkland dedication calculations exclude Core Features, unless used for associated servicing infrastructure

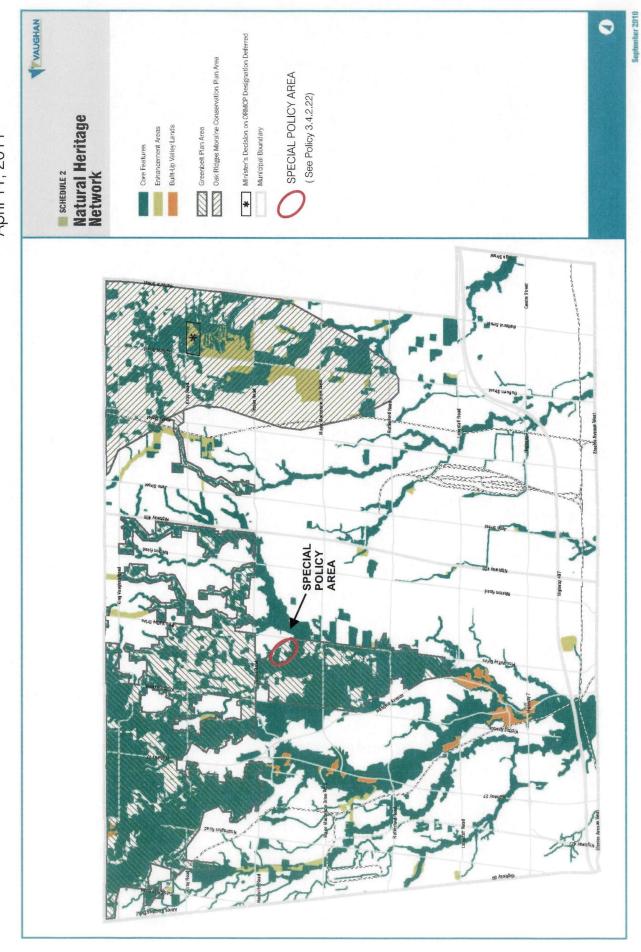
Comments/Need for Modification:

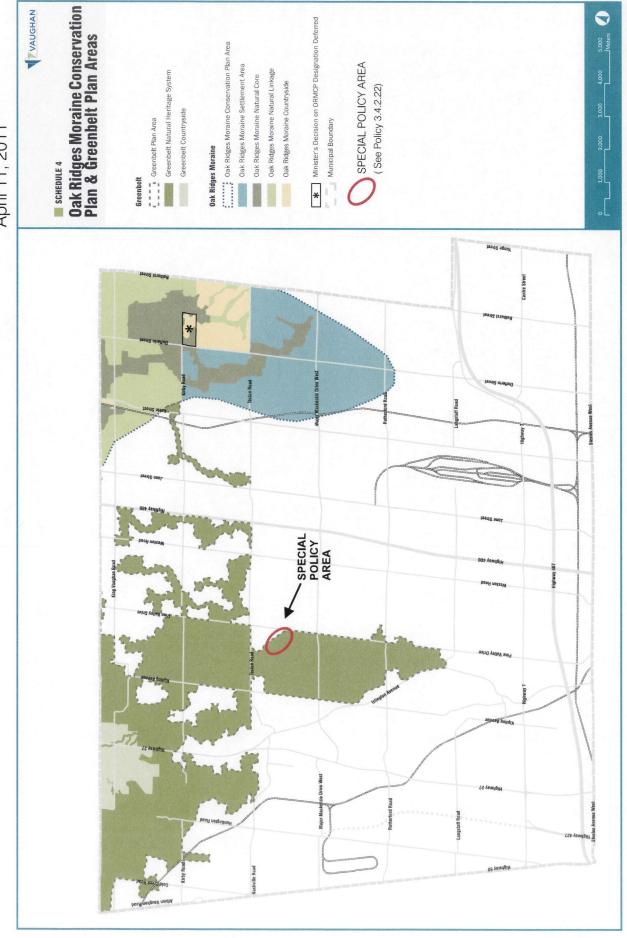
The Stormwater Management Ponds proposed in the Block Plan are below the staked development limit and therefore would be subject to parkland dedication. However, if the stormwater management ponds were excluded completely from the core area, parkland dedication would not be required as a result. Parkland dedication calculations should not account for lands utilized for infrastructure as the lands are being developed for residential.

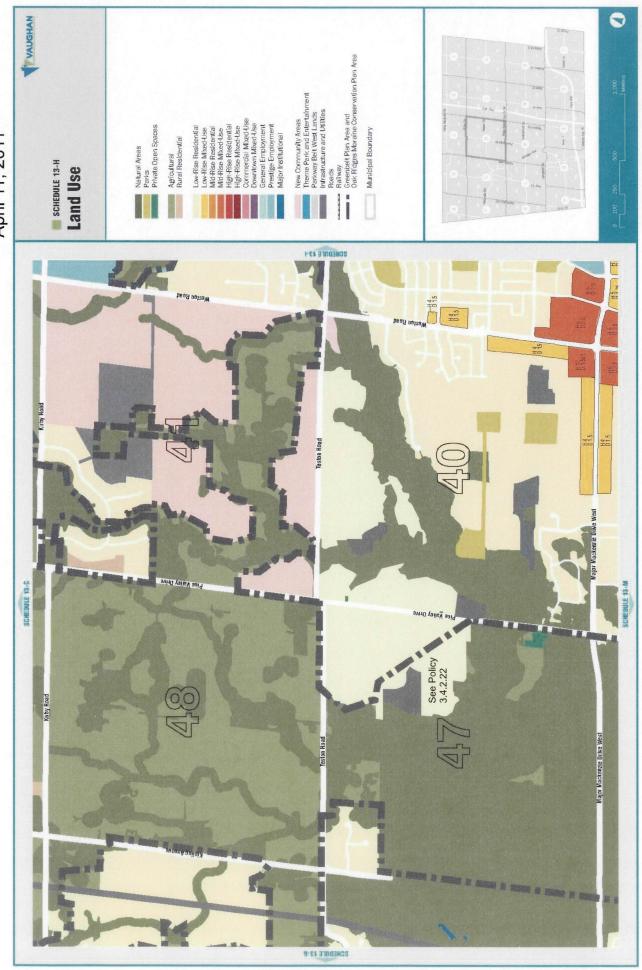
Proposed Resolution:

Revise the policy to exclude parkland dedication calculations for those lands in the core feature areas utilized for servicing and infrastructure (which is still approved to the satisfaction of the City)

Draft Proposed Modification KLM Planning Partners Inc. April 11, 2011









Planners Project Managers

EMC File No.: 206199-PL

June 30, 2011

Via Email and Mail (3 pages)

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

Attention:

Heather J. Konefat

Director, Community Planning

Dear Madam:

Re:

City of Vaughan (2010) Official Plan - Modification Request

Mardave Construction Limited

7034 Islington Avenue Part of Lot 23, Plan 9691

(north-west quadrant of Islington Avenue North and Steeles Avenue West)

Community of Woodbridge, City of Vaughan

Regional Municipality of York

Thank you very much for convening the June 13th review meeting with Regional and City Planning staff with respect to our land use designation 'modification' request relative to the above-noted property. From our session, we understand that:

- 1. as the approval authority, York Region is considering requested 'modifications' as part of the overall review and approval process associated with the City of Vaughan Council 'adopted' (September 7, 2010) Official Plan document; and
- 2. that City Planning staff are anticipating reporting back to Committee of the Whole in September 2011 and subsequently to Council, while Regional Planning staff are scheduled to table a report with Planning & Economic Development Committee and subsequently with Regional Council sometimes during the winter (December 2011 / January 2012).

As now filed as part of the public record, we submitted Vaughan Official Plan ("VOP") review comments on behalf of the property owner dated February 3, 2011 which articulated concerns with and objections to the 'adopted' Official Plan document. Simply stated, our comments were as follows:

1. the new Vaughan Official Plan (2010) and specifically Schedule 13-Q: Land Use, designated the subject lands as "General Employment" while the adjacent surrounding lands immediately to the north and south are designated as "Mid-Rise Mixed-Use". From a land use planning perspective, we submit that retaining such an existing designation on the lands is problematic introducing issues of compatibility and therefore does not represent good planning nor is based on sound planning principles; and

EMC No.: 210162 York Planning June 30, 2011 Page 2

2. requesting that as the Region of York deliberates on the new proposed City of Vaughan Official Plan (2010) document as part of the review and approvals process, and prior to approving the document, that the lands be subject to a 'modification' associated with Schedule 13-Q: Land Use and be redesignated to the more appropriate and proper "Mid-Rise Mixed-Use" land use designation accordingly.

In addition, the "Mid-Rise Mixed-Use" land use designation should also reflect the density and height policy provisions of the abutting lands, thus including the notation "H 9" and "D 2.75" on Schedule 13:Q to correspond with the vision for the abutting lands.

As requested by both York and Vaughan Planning staff, we confirm as follows with respect to existing designations and the current use of the subject lands:

- designated as "Employment Area / Prestige Area" under the current Official Plan, being Official Plan Amendment No. 450 and zoned as "EM1 - Prestige Employment Area Zone" under the comprehensive parent Zoning By-Law No. 1-88; and
- 2. the current use of the property is a restaurant (eating establishment).

While staff suggested that modifying the 'adopted' Official Plan designation, given the current use, would perhaps create future issues of 'non-conforming use' as the pending Zoning By-Law review is undertaken to bring same into conformity with Plan policies, our position remains contrary to staff comments and that:

- 1. within the context of the newly adopted Vaughan Official Plan such an argument is a moot point, while the 'modification' request is not related to the current use, but the contemplated future vision for the subject lands and the surrounding environs;
- 2. the new Official Plan represents a long-range planning document articulating a vision for the future development of the municipality and accordingly the requested land use designation modification supports that broader vision;
- 3. in order to achieve the contemplated vision, the requested "Mid-Rise Mixed-Use" land use designation is both justified and supportable;
- 4. a land use planning rationale exists with respect to modifying the Official Plan designation, with the existing use remaining pending future development (Rezoning and/or Site Plan Control) applications as part of the regulatory approvals process;
- 5. such a redesignation would parallel the vision articulated and designations associated with lands elsewhere within the municipality, such as within the Highway 7 corridor for instance, where the Plan document and previous Official Plan Amendments (e.g. OPA No. 660 to 664 inclusive) articulated a vision and introduced land use designations accordingly, recognizing that further development applications would follow in order to implement the Official Plan vision; and



EMC No.: 210162 York Planning June 30, 2011 Page 3

6. the purpose of the newly 'adopted' Official Plan document is to articulate a future vision, while the purpose behind the requested land use designation 'modification' is to implement that vision.

Until such time that land use designation is reconsidered and the requested modification is approved, coupled with a staff's explanation relative to retaining the existing "General Employment" designation, we continue to have concerns with and bring forward on behalf of the property owner objections to the September 7, 2010 'adopted' City of Vaughan Official Plan document.

Thank you very much for your attention to this matter and should further meetings and/or discussions need to be scheduled, we ask that you please advise accordingly.

Yours truly,

EMC GROUP LIMITED

Yurii Mchael Pelech, MA(Pl), MCIP, RPP

Senior Planner

c.c. Diana Birchall, Director Policy Planning / Urban Design, City of Vaughan Augustine Ko, Senior Planner, York Region Clement Chong, Senior Policy Planner, City of Vaughan

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Engineers Planners Project Managers

EMC File No.: 206199-PL

June 17, 2011

Via Email and Mail (3 pages)

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

Attention:

Heather J. Konefat

Director, Community Planning

Dear Madam:

Re:

City of Vaughan (2010) Official Plan

Modification Request Anland Group Inc. 7386 Islington Avenue

Part of Lot 4, Registrar's Compiled Plan 9831

(north-west quadrant of Islington Avenue North and Highway 407)

Community of Woodbridge, City of Vaughan

Regional Municipality of York

Thank you very much for convening the June 13th review meeting with Regional and City Planning staff with respect to our land use designation 'modification' request relative to the above-noted property. From our session, we understand that:

- 1. as the approval authority, York Region is considering requested 'modifications' as part of the overall review and approval process associated with the City of Vaughan Council 'adopted' (September 7, 2010) Official Plan document; and
- 2. that City Planning staff are anticipating reporting back to Committee of the Whole in September 2011 and subsequently to Council, while Regional Planning staff are scheduled to table a report with Planning & Economic Development Committee and subsequently with Regional Council sometimes during the Winter.

As now filed as part of the public record, we submitted Vaughan Official Plan ("VOP") review comments on behalf of the property owner dated May 24, 2011.which articulated various concerns with and objections to both the 'draft' and the 'adopted' Official Plan documents.

Simply stated, our comments were as follows:

1. the 'draft' VOP (April 2010) document designated the subject lands as "Low-Rise Mixed-Use" with associated height (H4) and density (D1.5) policy provisions, while the 'adopted' VOP (September 2010) changed the land use designation primarily to "Natural Areas" with a greatly reduced area designated as "Low-Rise Mixed-Use", and that the

EMC No.: 206199 York Planning Anland Group Page 2

latter revised designation and delineation was not indicative of the site's development potential nor reflective of existing physical and environmental constraints;

- 2. with respect to the above-noted change in the land use designation, we need to understand how and why the designation from the 'draft' VOP April 2010 document ("Low-Rise Mixed Use") was revised in the 'adopted' VOP (September 2010) document ("Natural Areas" and "Low-Rise Mixed-Use") -- in essence, what is the technical justification and support for such a change; and
- 3. questioning whether the "Low-Rise Mixed-Use" designation was appropriate, with a requested 'modification', based on and supported by a preliminary land use and policy planning justification, coupled with the property's locational attributes, to a more appropriate "High-Rise Residential (H16; D4)" designation.

While City staff appeared to indicate that the "Low-Rise Mixed-Use" designation -- given the 'mixed-use' suffix -- was perhaps inappropriate, and that a strictly 'residential' rather than combined 'residential and mixed-use' designation was most appropriate in such location, our position and 'modification' request remains that "High-Rise Residential" would be more appropriate than "Mid-Rise Residential" given the locational attributes of the subject lands..

As indicated during our session, a preliminary development opportunities review was undertaken with an assembled multi-disciplinary consulting team, and a formal review meeting was convened with City staff on April 9, 2008 for purposes of discussing the development concept, land use designation and policy provisions, as well as requisite technical analysis moving forward. Further associated work evolving from the initial City staff discussions however, was put on hold pending the completion of the City's Official Plan Review / Conformity Update initiative.

As an aside and as a point of clarification, the existing driveway access, as indicated in the text of our May 24th submission, is "to be retained" (along the north-side property limit and shared mutually with the adjacent property) rather than "to be removed" as indicated in error on the aerial photograph schematic. The location of the driveway access point was also subject to and supported by traffic engineering analysis, along with necessary submissions and discussions.

Regardless, the primary concern relative to our submission is with respect to establishing the most appropriate development land use designation under the new Official Plan document, coupled with delineation of the developable area (i.e. tableland in the order of 2.5 acres / 1.01 hectares – subject to a formal stake-out as part of the regulatory approvals process), as well as the depiction of the extent of the "Natural Areas" designation constraints.

Until such time that land use designation is reconsidered and the requested modification is approved, coupled with a staff's explanation relative to the City-initiative land use designation changes, we continue to have concerns with and bring forward our objections to the September 7, 2010 'adopted' City of Vaughan Official Plan document.



EMC No.: 206199 York Planning Anland Group Page 3

Thank you very much for your attention to this matter and should further meetings and/or discussions need to be scheduled, we ask that you please advise accordingly.

Yours truly,

EMC GROUP LIMITE

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

Diana Birchall, Director Policy Planning / Urban Design, City of Vaughan

Augustine Ko, Senior Planner, York Region

Clement Chong, Senior Policy Planner, City of Vaughan

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WESTON CONSULTING GROUP INC.

'Land Use Planning Through Experience and Innovation'

June 29, 2011 File No. 5190-2

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

ATTENTION: Roy McQuillin

Dear Sir:

Re: City of Vaughan Official Plan

Woodbridge Farmers Co. Ltd., 1510904 Ontario Ltd. and 1510905 Ontario Ltd. East side of Highway 50 north of Highway 7, Huntington Business Park

We are planning consultants to the above companies which together own two parcels ("the subject lands") with a combined area of approximately 12 ha (30 acres) in the above location.

In our letter dated September 30, 2010, addressed to the Region of York, we indicated on behalf of our clients that we had two remaining concerns with the new Official Plan provisions affecting the above lands.

On June 27, 2011, I had an opportunity to discuss these concerns in a meeting with Ms. Birchall, Mr. McQuillin and other Vaughan planning staff, and with Mr. Ko of the Region of York.

At the conclusion of that discussion, Mr. McQuillin asked that I provide the text of a site-specific policy that would resolve the concern related to the boundary of the Commercial Mixed Use designation along Highway 7. The purpose of this modification would be to ensure that the Highway 7 intensification corridor achieves its full intended width of 200 metres in this prime corner/gateway location.

The problem arises from Policy 10.2.1.5 which indicates that the depth of the Commercial Mixed Use designation is only "one lot depth". This provision would effectively cancel the Commercial Mixed Use designation on the subject lands which comprise the second and third parcels north of Highway 7. In the result, at this prime corner there would be a shallow intensification corridor, with a depth of only about 50 metres, which, in our submission, would not be good planning.

Since 1981

Vaughan Office:

201 Millway Avenue, Unit 19,

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

1660 North Service Road East, Suite 114,

Oakville, Ontario, L6H 7G3

Tel. 905-844-8749

We therefore request that the following policy be added under the heading of the Huntington Business Park (Section 12.13):

"Notwithstanding policy 10.2.1.5, in the block on the north side of Highway 7 between Highway 50 and Huntington Road, the Commercial Mixed use designation will be interpreted as having a depth of approximately 200 metres from Highway 7, and accordingly will have a depth of more than one lot from Highway 7."

We would also reiterate our request regarding the Service Node. Map 12.13A shows a Service Node on our client's southerly parcel, partially overlapping the Commercial Mixed Use designation. The Highway 50 access for a commercial development at this location cannot be signalized because of inadequate distance separation from Highway 7. We request that the Service Node be moved north, to the boundary between the two parcels owned by our clients where it will be located at a future signalized intersection, which has been approved by the Regions of Peel and York and factored into the Highway 50 reconstruction program. This revised location would ensure that the Service Node is as conveniently located as possible.

We request that the above modifications be recommended for approval and forwarded to the Region of York for inclusion in its decision on the Vaughan Official Plan. We would be pleased to provide any clarification as required.

Yours truly,

Weston Consulting Group Inc.

Per:

Alan Young BES MSc Meth RPP

Senior Associate

cc. Dennis Hayhoe and Bernie Hayhoe Diana Birchall, City of Vaughan

Augustine Ko, Region of York

Ko, Augustine

From:

Alan Young [ayoung@westonconsulting.com]

Sent:

June 29, 2011 10:45 AM

To:

roy.mcquillin@vaughan.ca

Cc:

Diana.Birchall@vaughan.ca; Ko, Augustine; Sandra Patano; hayhoe@sympatico.ca;

woodbridgefarmers@bellnet.ca

Subject:

Vaughan OP 2010 - Woodbridge Farmers - Huntington Business Park - requested

modifications

Attachments: Woodbridge Farmers Letter to Vaughan June 2011.pdf

Hi Roy, please find attached a letter containing the draft policy language you requested to resolve the concern relating to the "one-lot-depth" provision for the Commercial Mixed Use designation on Highway 7. Please contact me if you have any questions.

Alan

Alan Young, Senior Associate, BES MSc MCIP RPP

Weston Consulting Group Inc.

Vaughan Office: tel. 905.738.8080 ext. 231 | 201 Millway Ave., Unit 19, Vaughan, ON, L4K 5K8

toll free: 1.800.363.3558 | fax. 905.738.6637 | web. www.westonconsulting.com



Project No. 0966

June 24, 2011

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

Dear Mr. Abrams,

Re: New City of Vaughan Official Plan

Comments on behalf of the Block 27 Landowners' Group

We are planning consultants for the Block 27 Landowners' Group. As you may recall, this firm submitted letters on behalf of the Landowners' Group dated May 17, 2010, July 22, 2010 and July 27, 2010 providing comments respecting the draft City of Vaughan Official Plan (see attached).

As a result of our comments, staff made a number of changes which were incorporated into the recommended Official Plan which was adopted on September 7, 2010. Since then, we have continued to consult with Planning Department staff regarding specific issues including phasing and wetlands policies.

We wish to reiterate that we are supportive of the designation of the Block 27 lands as *New Community Areas*. In this regard, we support a balanced approach to accommodating population growth within a variety of appropriate locations encompassing both new community areas and intensification within the existing built-up area. As set out in Section 1.5 (The Vision for Transformation), Goal 8 of the as-adopted Official Plan (Directing Growth to Appropriate Locations) explicitly recognizes the need to achieve an appropriate balance in this regard. Furthermore, Policy 2.1.3.2(d) directs that a sufficient supply of *New Community Areas* must be designated in order to meet growth forecasts.

Within the context of our support for the *New Community Areas* designation, our previous letters offered a number of comments regarding specific policies and schedules of the draft Official Plan. As a result of the changes which were made prior to adoption, the concerns reflected in those comments have now been narrowed significantly.



Set out below is a revised list of comments and, where appropriate, our requested modifications to the new Official Plan to address remaining concerns:

 We had objected to the Enhancement Area designation on parts of the Block 27 Lands on Schedule 2 (Natural Heritage Network) and to the Natural Areas designation on parts of the Block 27 Lands on Schedule 13-I.

Response: Schedule 2 and Schedule 13-I were revised to appropriately reduce the size of the large woodlot. This modification is to our satisfaction. However, all of the designated hedgerows remain and Core Features are shown in the Greenbelt Plan where none exist. As well, no changes were made to the *Enhancement* Area designations on Schedule 2.

Requested Action: We request that the *Enhancement Area* designation on Schedule 2 and certain *Natural Heritage* designations on Schedule 13-I be revised in accordance with our comments dated May 17, 2010.

2. We had objected to the criteria proposed in Policy 3.2.3.7 because they appeared to be inappropriately onerous and had requested that this policy be reworded.

Response: A change was made to Policy 3.2.3.7(c) to change the phrase "will not result in a negative impact" to "will minimize negative impacts" and to change the phrase "will not negative impact ecosystem function" to "measures shall be identified to maintain habitat area and enhance overall ecosystem function". A new policy was added (3.2.3.10) regarding modifications to the boundaries of Core Areas.

Requested Action: We accept the addition of Policy 3.2.3.10 and the revised wording for Policy 3.2.3.7. However, we request that Policy 3.2.3.7 be further modified to allow acceptable minor impacts on natural features and ecosystem functions, where desirable from an overall community planning and design perspective.

3. We had requested clarification of Policies 9.1.1.3(b) and 9.1.1.4(d), as these policies could effectively preclude all forms of residential development along arterial roads in certain circumstances.

Response: No changes were made.

Requested Action: We request that the Official Plan be modified to clarify Policies 9.1.1.3 and 9.1.1.4 for the reasons set out in our previously submitted comments.



4. We had requested a change to Policy 9.2.2.13(b) to clarify whether the intent of this policy is to include both *New Community Areas* (i.e. the Block 27 and the Block 41 Lands) in one Secondary Plan Process.

Response: A minor change was made to Policy 9.2.2.13(b), which appears to be a step in the right direction but does not go far enough in our judgement.

Required Action: We request the Official Plan be modified to further clarify Policy 9.2.2.13(b) as described in our previously submitted comments.

5. We had objected to Policies 9.2.2.13(b)(xiii) and 9.2.2.13(xiv) inasmuch as they could adversely affect the timing of development.

Response: Changes were made in re-numbered Policies 9.2.2.13(b)(xii) and 9.2.2.13(xiii); however, they are not fully to our satisfaction to the extent that the policy could result in a lack of flexibility if phases were defined on a too small an area basis.

Requested Action: We request that Policies 9.2.2.13(b)(xii) and 9.2.2.13(xiii) be further modified to specifically acknowledge that the phasing plan provide for phases that are sufficiently large to allow flexibility in the development of the lands.

6. We had requested that Policy 9.2.2.13(d)(ii) be deleted since the requirement for a sub-watershed study to be undertaken by the Toronto and Region Conservation Authority (TRCA) prior to consideration of development applications in *New Community Areas* would place the timing of development in Block 27 entirely in TRCA's hands. As well, it is for note that the Planning Staff Report to the July 28, 2010 Committee of the Whole public meeting makes clear that this policy derives from TRCA concerns with downstream flooding in the Humber watershed. Block 27 is almost entirely tributary to the West Don watershed and is positioned at or very near its height-of-land.

Response: No change was made.

Requested Action: On the basis of the foregoing and further to our previously submitted comments, we continue to object to Policy 9.2.2.13(d)(ii) and request that it be deleted insofar as it applies to Block 27.

In addition to the foregoing, we have a concern regarding Policy 3.2.3.4((b) regarding the requirement for a 30 metre vegetation protection zone around all wetlands, whether locally or provincially significant, which was originally raised in Malone Given Parsons' letter of June 11, 2010 on behalf of both the Block 27 and Block 41 landowners. Rather than a "one size fits all" approach, we would



request that the policy be revised to allow buffer width selection, within a reasonable range, to be determined pursuant to the study required under Policy 3.2.3.2 so as to be reflective of the specific ecological functions in each case. Furthermore, Policy 3.2.3.2 should afford the opportunity to assess wetlands which are not provincially significant in order to determine whether they are important and worthy of retention.

Thank you for your consideration of these comments. We would respectfully request the opportunity to meet with staff from the Planning Department and Engineering Department, as well as with the City's technical advisors/consultants with respect to environmental matters, to discuss these matters in greater detail.

Yours truly,

Bousfields Inc.

Pleter F. Smith B.E.S. MCIP, RPP

cc: A. Sicilia – City of Vaughan Planning

A. Ko - Region of York Planning

G. Lynch - Cole Engineering

M. Melling – Davies Howe Partners

D. Fraser - Beacon Environmental

Members of the Block 27 Landowners' Group



May 17, 2010 Project No. 0966

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

Dear Mr. Abrams:

Re: Draft City of Vaughan Official Plan (File Number OP.25.1) Comments on behalf of the Block 27 Landowners' Group

We are planning consultants for the Block 27 Landowners' Group. On their behalf, we are pleased to provide the following preliminary comments on the Draft City of Vaughan Official Plan released on April 19, 2010.

We are supportive of the proposed designation of the Block 27 lands as *New Community Areas*. In this regard, we support the achievement of an appropriate balance in accommodating population growth within a variety of appropriate locations, encompassing both new community areas and intensification within the existing built-up area. As set out in Section 1.5 (The Vision for Transformation), Goal 8 of the Draft Official Plan (Directing Growth to Appropriate Locations) explicitly recognizes the need to achieve an appropriate balance in this regard. Furthermore, Policy 2.1.3.2(d) directs that a sufficient supply of *New Community Areas* must be designated in order to meet growth forecasts.

Within the context of our support for the *New Community Areas* designation, we have a number of preliminary comments regarding other policies and schedules of the Draft Official Plan, which are briefly set out below:

1. Schedule 2 (Natural Heritage Network) of the Draft Official Plan identifies three north-south watercourses within the Block 27 Lands as Core Features, together with some individual woodlots/hedgerows on the west side of the rail line. These are all designated Natural Areas on Schedule 13-I (Land Use). We have concerns with respect to the identification of the areas on Schedules 2 and 13-I as Core Features given that many of these areas do not appear to correspond with the descriptions set out in Policy 3.2.3.4. In particular, a number of the designated areas appear to be hedgerows or depressions in farm fields, rather than woodlands or stream corridors. In addition, there is an open, cultivated field



some 2.4 hectares in extent located on the west side of the rail line in Lot 28 which is incorrectly identified as a *Core Feature* and designated as a *Natural Area*. We require details regarding the basis for the proposed designations and we would welcome the opportunity to meet with staff to discuss this information once received. On private property or areas that have not been studied in detail, the limits of natural features should be defined by qualified individuals as a result of a development application or MESP and those defined limits should supersede what is shown on the Official Plan schedules without the need for an Official Plan Amendment.

- 2. Policy 3.2.3.7 limits new development and/or site alteration in Core Features except for natural area management uses; flood or erosion control projects; transportation, infrastructure and utilities; and low intensity and passive recreational activities. Transportation, infrastructure and utilities projects must be necessary and deemed to be in the public interest after all alternatives have been considered and where such projects will not result in negative impact on the Core Features and will not negatively impact ecosystem function. We are concerned that the criteria proposed in Policy 3.2.3.7 are inappropriately onerous. For example, road crossings of environmental features may be necessary and desirable to ensure that neighbourhoods are not disjointed and community design is not adversely affected. We would request that this policy be reworded to allow acceptable minor impacts on environmental features and ecosystem function, where desirable from an overall community planning and design perspective. As well, stormwater management facilities should be considered in this list as they provide buffering of the natural features from urban uses; however, it is unclear whether stormwater management facilities would fall under the provisions for flood control projects or public infrastructure.
- 3. Policy 3.3.1.3 permits necessary public works and roadways to cross valley and stream corridors if property sited, designed and constructed with state-of-the-art erosion and sediment control measures to minimize environmental impacts. We note that Policy 3.3.1.3 appears to be less restrictive in terms of the development of infrastructure within valley and stream corridors than Policy 3.2.3.7 (as summarized above) which applies to the development of infrastructure in *Core Features*. This inconsistency in wording needs to be clarified and/or resolved.
- 4. Policy 3.2.3.9 provides that Enhancement Areas as shown on Schedule 2 are intended to provide opportunities to add to the Natural Heritage Network through the restoration or renaturalization of specific natural features in order to strengthen biodiversity. Policy 3.2.3.10 provides that new development and/or site alteration is limited to that permitted within the Core Features designation (as provided above). We require details regarding the basis used to identify



Enhancement Areas, particularly inasmuch as there is no statutory or policy basis that would permit the designation of land as Enhancement Areas and restricting development on such lands. As an example, it is difficult to picture what could be achieved in the way of natural heritage enhancement in the Enhancement Area extending westerly from the Greenbelt to Jane Street along what appears to be the Trans-Canada pipeline right-of-way, given the need for the pipeline to remain readily accessible for maintenance purposes. We also question the rationale for imposing the same restrictions on development within Enhancement Areas as set out in Policy 3.2.3.10 as those that apply to Core Features as set out in Policy 3.2.2.7.

- 5. Policy 9.1.1.4 encourages maximizing the number of street connections to arterial roads and discourages cul-de-sacs and window streets, while Policy 9.1.1.3 would prohibit rear-lotting on public streets. We question whether the City and Regional Engineering Departments have agreed to more frequent intersection spacing and, if so, what those standards would be. In the absence of such agreement, we are concerned that these policies would effectively preclude virtually all forms of residential development along arterial roads. Please clarify. In addition, the total prohibition on the use of reverse lotting requires a saving clause for exceptional circumstances e.g. adjacent to the approaches to grade-separated rail crossings.
- 6. Policy 9.2.2.13(b) provides that New Community Areas are subject to "one comprehensive and coordinated Secondary Plan process". We require clarification as to whether the intent of this policy is to include both New Community Areas (i.e. the Block 27 and the Block 41 Lands) in one Secondary Plan process. If so, we are concerned that this policy may unduly complicate the Secondary Plan process. Moreover, there is no apparent policy rationale to require a single process.
- 7. Policy 9.2.2.13(b)(vii) requires that new development create an appropriate transition zone and urban/rural interface between New Community Areas and the adjacent Countryside Areas. We are concerned that this policy could impose constraints on development along the south side of Kirby Road which would be unwarranted if lands on the north side of Kirby Road are ultimately redesignated for urban purposes in the future.
- 8. Policy 9.2.2.13(b)(xiii) requires the preparation of a phasing plan addressing the sequencing of the provision of hard and soft services, while Policy 9.2.2.13(b)(xiv) requires that any particular phase of development is to be substantially complete meaning that 75 per cent of the phase is to be built and/or under construction before a subsequent phase may be registered.



Depending on the number of phases and the boundaries of phases, this could be an onerous requirement that could adversely affect the timing of development. We question the basis and rationale for this policy.

9. Policy 9.2.2.13(d) states that development applications in New Community Areas will not be considered prior to the completion of a sub-watershed study to be undertaken by the Toronto and Region Conservation Authority (TRCA) in coordination with the City, either preceding the secondary plan or concurrent with it. We are concerned that this requirement could unnecessarily delay planning and development of the Block 27 Lands. We question why a sub-watershed study is required to be undertaken by TRCA.

Thank-you for your consideration of these preliminary comments. We expect that we will provide further detailed comments once we have received responses to the issues raised herein and once with have an opportunity to review the Draft Official Plan in greater detail with the Block 27 consulting team. Please do not hesitate to contact me or John Bousfield of this office should you wish to discuss any of these matters further.

Yours truly,

Bousfields Inc.

Peter F. Smith B.E.S. MCIP, RPP

cc: Block 27 Landowners Group
Mauro Peverini, City of Vaughan Policy Planning Department
Gerry Lynch, Cole Engineering
Don Fraser, Beacon Environmental



Project No. 0966

July 22, 2010

Mr. John Zipay MCIP RPP Commissioner of Planning City of Vaughan Development Planning Department 2141 Major Mackenzie Drive, Civic Centre Vaughan, ON L6A 1T1

Dear Mr. Zipay,

Re: Secondary Plan for Block 27

This is in response to the Staff Report released on July 20, commenting on input received re Volume 1 of the draft new OP and recommending modifications for inclusion in the final document. In particular, your attention is drawn to two issues raised in this firm's letter on behalf of the Block 27 Landowners' Group dated May 17, 2010 and listed as 19B in Part B, Attachment 1 to your report.

Those issues are:

#6 which questioned Policy 9.2.2.13(b) that requires New Community Areas (i.e Blocks 27 and 41) to be subject to "one comprehensive and co-ordinated Secondary Plan Process".

Your report recommended a modification to the said policy by the addition of "...unless extenuating circumstances (e.g. GTA West Corridor) would dictate otherwise...", and

#9 which questioned Policy 9.2.2.13(d) ii that requires a subwatershed study to be completed by TRCA "...in co-ordination with the City, either preceding the secondary plan or concurrent with it.".

Your report recommended no change to the latter policy on the grounds that "...TRCA has consistently raised concerns that the Humber River Watershed Plan concluded...that an updated hydrologic study is required to confirm the level of stormwater control needed before expanding the urban boundaries in the Humber River Watershed.".

Attached as Exhibit 'A' is a contour map of Block 27 on which has been superimposed the height-of-land between the Humber and Don River watersheds. It will be seen that only about 20 ha, or approximately 5% of Block 27 lies within the Humber watershed, the vast majority being tributary to the West Don.

It is submitted that this fact constitutes a genuine "...extenuating circumstance..." and that the timing of planning for, and development within, Block 27 need not be



fettered by a subwatershed study for the upper Humber. It is therefore urged that the draft Volume 1 of the new OP be further modified by the deletion of Subclause 9.2.2.13.b) and by clarification that 9.2.2.13.d)ii applies only to Blocks substantially within the Humber watershed.

Thanking you for your attention to these matters, we are

Yours truly,

Bousfields Inc.

Peter F. Smith B.E.S. MCIP, RPP

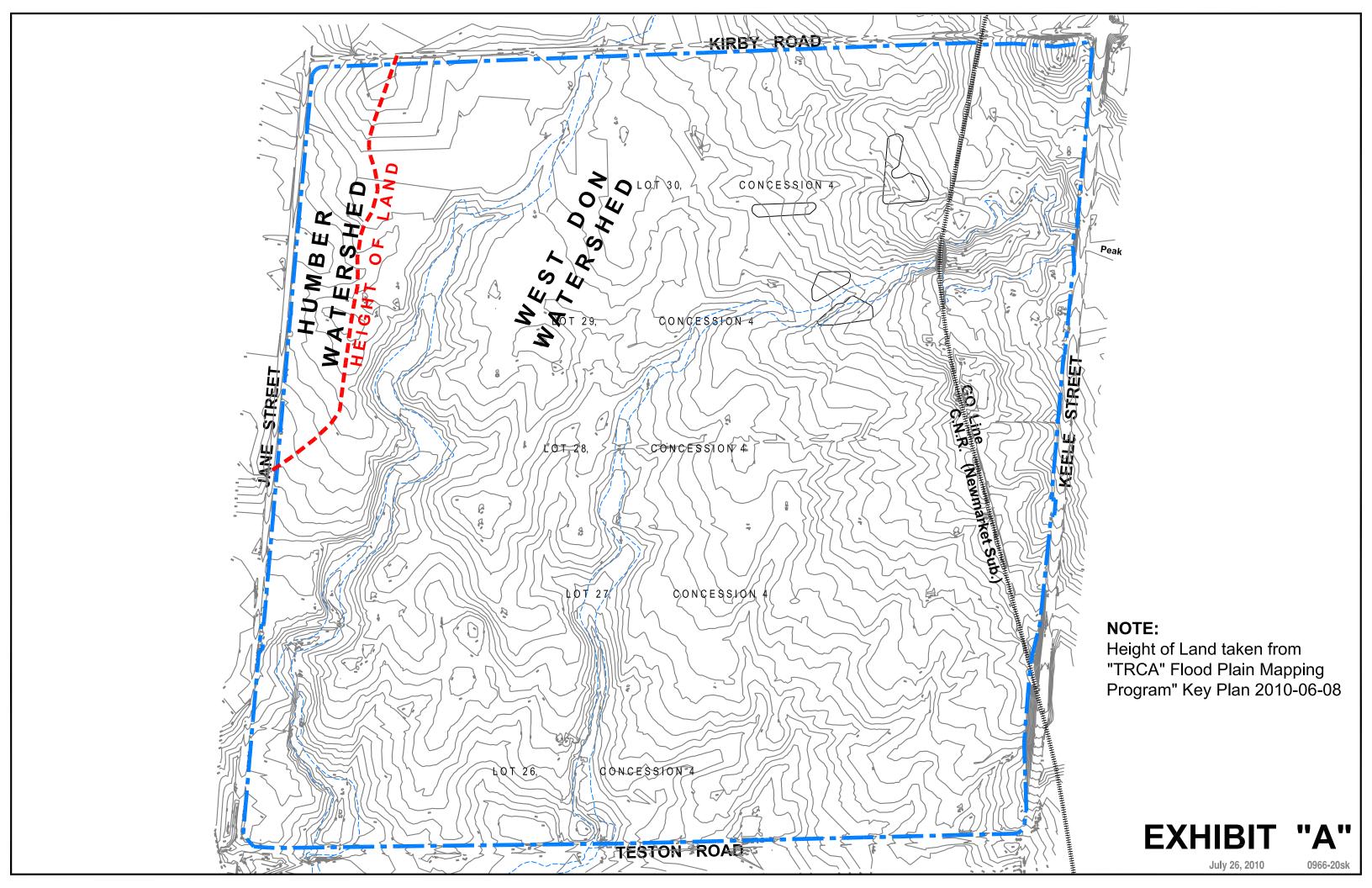
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Encls.

c.c. Block 27 Landowners' Group

G. Lynch, Cole Engineering

D. Fraser, Beacon Environmental





Project No. 0966

July 27, 2010

The Chairman & Members of Committee of the Whole City of Vaughan Civic Centre 2141 Major Mackenzie Drive Vaughan, ON L6A 1T1

Attention: Jeffrey A. Abrams

City Clerk

Dear Ladies & Gentlemen,

Re: Proposed Modifications to Volume 1 Draft New Official Plan

This firm serves as planning consultants to the Block 27 Landowners' Group, the 400 hectare tract bounded by Keele Street, Teston Road, Jane Street and Kirby Road. Our purpose in addressing you at your July 28th meeting is to draw attention to and express an important concern re the proposed addition to Section 10.1.1 regarding the timing of Secondary Plan preparation for New Community Areas. It specifies that "...at least three of the Required Secondary Plan Area Plans should be substantially advanced before commencement of the studies for the new community area blocks...". In brief, it is submitted that this policy is unnecessary, and is potentially counter productive in terms of growth management.

Like all of the sizeable municipalities in the GTA, Vaughan is called upon to strike a balance in allocating Council and Staff time and resources in pursuit of five basic planning objectives, each one of them laudable. They are:

- to promote infill and intensification in order to create Nodes of social and economic activity linked by transit-friendly corridors;
- to provide for an expanding supply of employment lands adequate to meet continuing demand;
- to ensure an adequate supply of a full range of housing types, including housing for families, in new and complete communities;
- to manage the maintenance and expansion of the infrastructure base in a financially prudent manner; and
- to protect and, where practicable, to enhance the City's cultural and natural heritage assets,

all in a consultative and transparent manner.

The new Schedule 14 to the Official Plan affords a convenient snapshot of the status of the City's present inventory of Secondary Plan projects. Table 1, attached to this letter, was drawn from its Legend in order to show just how well



this City has been and is managing that complicated balancing of its planning objectives.

It will be seen that the three basic Secondary Plan status categories are listed down the left hand column, i.e.:

- Approved;
- To be Approved; and
- To be Commenced.

In the three other columns, they are sub-categorized by function, i.e.:

- Infill/Intensification;
- New Employment Lands; and
- New Residential Communities.

At a glance, it can be seen how the City has been balancing its plan-making priorities:

In the 'Approved' category, there are:

- 3 Infill/Intensification Areas;
- 1 New Employment Land Area;

(as well, a number of new residential communities are presently building out on the basis of approved Block Plans and site specific OPA's).

In the 'In Process' category, there are:

- 3 more Infill/Intensification Areas:
- 1 more New Employment Land Area;
- 1 New Residential Community (in two parts).

In the 'Required' category, there are:

- 6 more Infill/Intensification Areas:
- no more New Employment Lands (all opportunities addressed);
- 1 more New Residential Community listed (again in two parts).

In my opinion, this Table shows a wholly satisfactory balance among the competing properties. Yes, there are many more infill/intensification areas, but some are quite small in extent. Importantly, no sub-category has been neglected. Significantly for consideration of the addition now proposed to Section 10.1, that desirable balance was achieved without constraints on Council's decision making.

It is therefore urged that, before imposing an empirically selected regulation on yourselves, you think about your own track record and decide precisely what might be gained by so doing.



Because most certainly, something would be diminished, and that would be your flexibility. You scarcely need reminding that, in any kind of balancing act, flexibility matters a lot.

Respectfully submitted

Bousfields Inc.

R. Bousfield FCIP, RPP

JRB/kh:jobs

Encls.

c.c. J. Zipay, Commissioner of Planning

The Members of the Block 27 Landowners' Group

G. Lynch, Cole Engineering

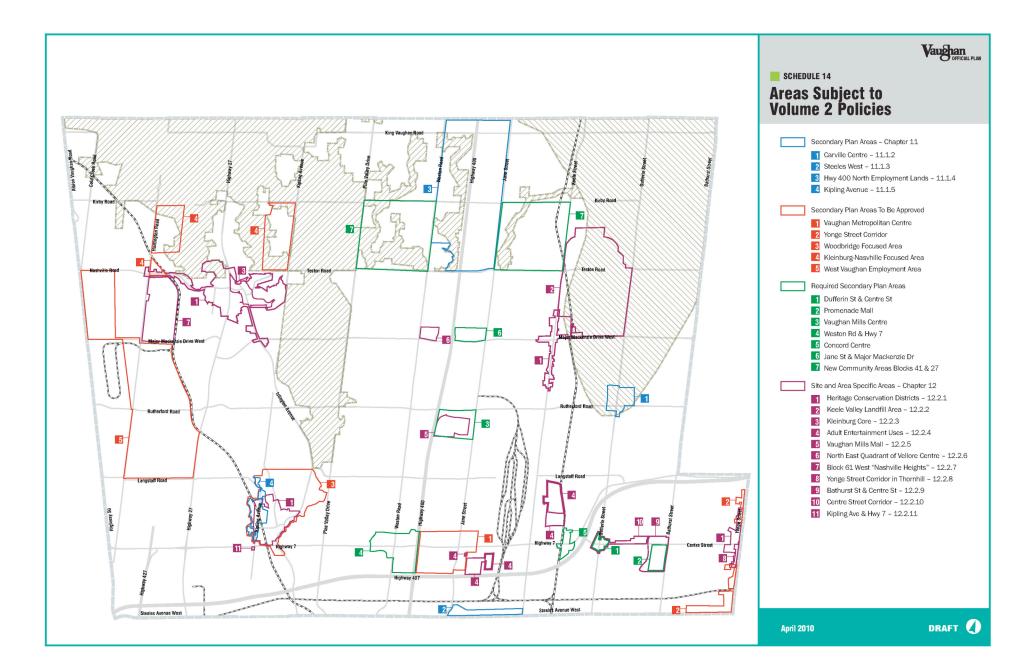


Table 1 Status of Secondary Plans

(Schedule 14)

Category	Infill/Intensification	New Employment Lands	New Residential Communities
A. Approved i.e. Chapter 11 Volume 2	 Carrville Centre Steeles Avenue West Kipling Avenue 	3. Highway 400 North	
Sub-total	Three	One	None
B. To Be Approved i.e. In Process	 Vaughan Metro Centre Yonge/Steeles Corridor Woodbridge 	5. West Vaughan	4. Kleinburg/Nashville
Sub-total	Three	One	One
C. Required i.e. To Be Commenced	 Dufferin/Centre Street Promenade Vaughan Mills Centre Weston Road/Highway 7 Concord Centre Jane Street/Major Mac 		7. Block 27 & Block 41
Sub-total	Six	None	One
TOTALS	Twelve	Two	Two

ISSUESUMMARY

9316EL 0650H 07163C 9922BJ

Adopted Vaughan Official Plan

June 27, 2011



230-7050 WESTON ROAD / WOODBRIDGE / ONTARIO / LILEGY / T-905 761 9888 / IF-905 761 9589 / WWW MHRCPLAN COM

City of Vaughan Adopted Official Plan Issues

June 2011

1. Home Depot - Vaughan North

Issues:	 Land Use: Existing permissions from OPA 450 will be removed. Site Plan application already submitted for retail uses. 	
Status:	Designated Employment Areas and Primary Intensification Corridor on Map 1 (Urban Structure).	
	2. Designated Prestige Employment Area on Map 13-I (Land Use).	
Requests:	1. Land Use: Redesignate site to Commercial Mixed Use on Map 13-I.	
	2. Land Use: Include a site-specific provision in Volume 2 that states:	
	 a. Notwithstanding 9.2.2.7(b), major retail uses shall be permitted (as Major Retail is not permitted in CMU). 	
	b. Notwithstanding 9.2.2.7(e), low-rise buildings shall be permitted.	
	 Notwithstanding 9.2.2.7(c), 100% of the total gross floor area of the site may consist of retail uses. 	
	 Notwithstanding 9.2.3.4(c), surface parking shall be permitted in a front yard or side yard. 	
	 Notwithstanding 9.2.3.4(d), the rooftop of a low-rise building is not required to provide rooftop landscaping (no issue if flexible). 	

2. Home Depot – 140 Northview Boulevard, Woodbridge

Issues:	1.	Land Use: Designations inconsistent with existing development and future
		intensification of the site – would not allow for outparcel development.
	2.	Land Use Conflicts: OP does not contain policies to mitigate land use conflicts
		between existing commercial uses and future residential uses. 5.2.1.2 only deals
		with lands in the Employment Area designation.
	3.	Secondary Plan: 10.1.1.4 will prevent individual OPAs or ZBAs until a Secondary Plan
		is complete.
Status:	1.	Designated Primary Centre on Map 1 (Urban Structure).
	2.	Designated Mid-Rise Mixed Use on Map 13-R (Land Use).
Requests:	1.	Land Use: Include a site-specific provision in Volume 2 that states:
1		a. Notwithstanding 9.2.2.4(d), 100% of the total gross floor area of the site
		may consist of retail uses.
		b. Notwithstanding 9.2.2.4(e), low-rise buildings shall be permitted (subject to
		mid-rise building requirements precluding low-rise buildings).
		c. Notwithstanding 9.2.3.4(c), surface parking shall be permitted in a front
		yard or side yard subject to the provisions of the Zoning By-law.
		d. Notwithstanding 9.2.3.4(d), the rooftop of a low-rise building is not
		required to provide rooftop landscaping (no issue if flexible).
	2.	Land Use: Confirm if 5.2.3.6 permits major retail uses in any land use designation
		where the structural designation is Primary/Local Centres, VMC, and PIC. If not, add
		to above site-specific provision 'major retail uses shall be permitted' as major retail
	_	is not permitted in Mid-Rise Mixed Use.
1	3.	Land Use Conflicts: Include a new provision in the general urban design and built
		form policies which requires new development in intensification areas to identify
		and mitigate potential noise impacts from existing commercial uses, at the
		applicant's expense.
ł	4.	Secondary Plan: Remove site from the area subject to the required Secondary Plan,
		or add a new policy to 10.1.1.4 to permit flexibility in minor development and
		intensification prior to the adoption of a Secondary Plan.

3. Dufferin & Centre

Issues:	 Land Use: Structural designation does not match underlying commercial land use designation.
	2. Natural Heritage: No natural heritage features on the site.
	 Secondary Plan: 10.1.1.4 will prevent individual OPAs or ZBAs until a Secondary Plan is complete.
Status:	1. Designated Employment Area and Primary Intensification Corridors Within Employment Areas on Map 1 (Urban Structure).
	2. Designated Commercial Mixed Use on Map 13-S (Land Use).
	Designated Core Features of the Natural Heritage Network on Map 2 (Natural Heritage).
	4. Subject to Centre Street Corridor Secondary Plan and a future Secondary Plan on Map 14(a) and (c).
Requests:	1. Land Use: Redesignate site to Community Areas on Map 1 as per Recommendation 68A1) from July 28, 2010 report.
	 Natural Heritage: Remove Core Features designation on Map 2 as per Recommendation 68A1) from July 28, 2010 report.
	3. Secondary Plan: Remove site from future Secondary Plan area on Map 14(a) (exception granted by City Council due to proposed ZBA/SPA- no longer an issue)

4. 7979 Weston Road

Issues:	1.	Land Use: Existing permissions will be removed . Future commercial redevelopment will be sterilized .	
Status:	1.	Designated Employment Area on Map 1 (Urban Structure).	
	2.	Designated Prestige Employment on Map 13-R (Land Use).	
Requests:	1.	Land Use: Redesignate site to Commercial Mixed Use on Map 13-R.	
	2.	Land Use: Include a site-specific provision in Volume 2 that states:	
		 Notwithstanding 9.2.2.7(b), the uses permitted in 9.2.2.10(c) (Prestige Employment) shall also be permitted on the site. 	
		b. Notwithstanding 9.2.2.7(e), low-rise buildings shall be permitted.	
		 Notwithstanding 9.2.2.7(c), 100% of the total gross floor area of the site may consist of retail uses. 	
		 Notwithstanding 9.2.3.4(c), surface parking shall be permitted in a front yard or side yard. 	



5. Trinity Highway 27 and Langstaff

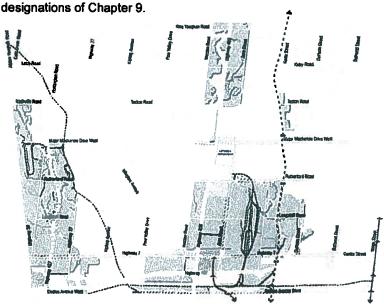
Issues:		Land Use: Structural designation does not match underlying commercial land use designation.
	2.	Land Use: Parking and landscaping located within Infrastructure and Utilities designation.
Status:	1.	Designated Employment Area in Map 1 (Urban Structure).
	2.	Designated Commercial Mixed Use and Infrastructure and Utilities in Map 13-P (Land Use).
Requests:	1.	Land Use: Redesignate site to Primary Centres on Map 1.
	2.	Land Use: Include a site-specific provision in Volume 2 that states:
		a. Notwithstanding 9.2.2.7(b), major retail uses shall be permitted.
		b. Notwithstanding 9.2.2.7(e), low-rise buildings shall be permitted.
		 Notwithstanding 9.2.2.7(c), 100% of the total gross floor area of the site may consist of retail uses.
		d. Notwithstanding 9.2.2.19(b), low-rise buildings may be located within the Infrastructure and Utilities designation, subject to review/approval from the appropriate utility provider.

September 2010

2.2.3.7. That the lands fronting on Huntington Road, between the rail line to the west and the Huntington Road Community to the immediate east are recognized as an area for future residential development as an extension of the Huntington Road Community with the aim of establishing a more *complete community*. This extension will require an Official Plan amendment in the future.

2.2.4

Employment Areas are intended for the use of economic activities that require separation from other uses in order to achieve their maximum potential. While Vaughan is anticipated to see significant job growth in Employment Areas, they are considered stable areas and their planned function for economic activity related to industrial, manufacturing, warehousing and some offices uses is to be maintained. In order to continue Vaughan's success at attracting the kind of economic activity that requires a location in Employment Areas, the City's Employment Areas must be protected from encroaching non-employment uses that would serve to destabilize their planned function, including residential and major retail uses. Office uses are permitted in Employment Areas subject to locational and site criteria as set out in the land use



▲ Figure 5
Employment Areas

Further protection of **Employment Areas** is derived from the Growth Plan policy which only permits conversion of lands within designated **Employment Areas** to allow non-employment uses through a *municipal comprehensive review* (Growth Plan Policy 2.2.6.5). For clarity, this means that site-specific amendments initiated by land owners to convert designated **Employment Areas**, shown on Schedule 1, to non-employment uses are not permitted.

It is the policy of Council:

- 2.2.4.1. That the planned function of the **Employment Areas**, as shown on Schedule 1, is to support economic activity in Vaughan by supplying land for a range of industrial, manufacturing, warehousing and, where appropriate, some office uses.
- 2.2.4.2. To provide sufficient **Employment Areas** and appropriate land use designations to help achieve the York Region Official Plan target of a minimum average **Employment Area** density of 40 jobs per hectare across York Region.
- 2.2.4.3. That, in accordance with Provincial policy, conversion of Employment Areas to non-employment uses, which includes any retail uses not otherwise permitted in Employment Areas by this Plan, may only be accomplished through a municipal comprehensive review, coordinated with York Region. The criteria for permitting Employment Area conversions as contained in the Growth Plan (policy 2.2.6.5) will be used at the time of the municipal comprehensive review.
- 2.2.4.4. That limited retail uses may be located within Employment Areas to serve the day-to-day needs of surrounding businesses and their employees, in accordance with the policies of this plan.
- 2.2.4.5. To encourage a range of parcel sizes within **Employment Areas** to maintain the flexibility to attract a variety of businesses.
- 2.2.4.6. To accommodate and facilitate the provision of local transit to and through **Employment Areas** where such service does not yet exist, and to enhance and improve local transit where it does exist, through transit-friendly urban design including sidewalks, pedestrian paths and minimized building setbacks where fronts of buildings face the street.

- 2.2.4.7. To accommodate and facilitate the use of active transportation to and within Employment Areas by providing on or off-street bikeways, connected greenways and bicycle parking facilities.
- 2.2.4.8. To provide an appropriate level of parkland in **Employment Areas** to enhance their attractiveness and provide for the casual and recreational needs of employees and the general public.

2.2.5 Intensification Areas

Intensification Areas in Vaughan will be the primary locations for the accommodation of the 45% intensification target. They consist of a hierarchy of mixed-use centres and corridors as follows:

- The Vaughan Metropolitan Centre will be the City's downtown. It will have the
 widest range of uses and will have buildings of various size, including the tallest
 buildings in the City.
- Primary Centres will accommodate a wide range of uses and will have tall buildings, as well as lower ones, to facilitate an appropriate transition to neighbouring areas.
- Primary Intensification Corridors include both Regional Corridors (e.g.
 Highway 7 and Yonge Street) and local corridors (e.g. Jane Street and Major
 Mackenzie Drive). They will link various centres and are linear places of
 activity in their own right. They may accommodate mixed-use intensification or
 employment intensification.
- Local Centres act as the focus for communities, are lower in scale and offer a more limited range of uses.

2.2.5.6. That Primary Centres shall be planned to:

- a. develop with a mix of housing types and tenures, including housing suitable for seniors and families with children and *affordable* housing;
- include a mix of non-residential uses including retail, office, institutional, community facilities, and human services intended to serve both the local population and the City as a whole, and attract activity throughout the day;
- c. develop at densities supportive of planned public transit;
- have a fine grain of streets suitable for pedestrians and cyclists, with appropriate internal links and links to the surrounding Community Areas which may take the form of sidewalks and/or greenways;
- e. include well designed public open spaces that are either landscaped parks, or public plazas or both in a manner that is appropriate to the local context;
- f. encourage a pedestrian-friendly built form by locating active uses at grade; and,
- g. be designed and developed to implement appropriate transition of intensity and use to surrounding Community Areas, and/or separation from adjacent Employment Areas.

Local Centres

Local Centres will be the mixed-use cores of their respective communities. They will be predominantly residential in character but will also include a mix of uses to allow residents of the Local Centre and of the surrounding community to meet daily needs in close proximity to where they live or work. Local Centres will be pedestrian-oriented places with good urban design and an intensity of development appropriate for supporting efficient transit service.

The Historic Villages of Woodbridge, Maple, Kleinburg/Nashville, and Thornhill-Yonge Street: The historic village cores will continue to be the main areas for local commercial activity and *community facilities*. Each village core will experience development and/or *intensification* to varying degrees, as befits the local context. Development within these areas is also subject to Heritage Conservation District Plans.

<u>Vellore Village Centre and Carrville Centre:</u> The emerging **Local Centres** for Vaughan's newest communities will develop as mixed-use, pedestrian-friendly places. They will be the focus for multi-family development within their respective communities and may include mid-rise or high-rise buildings as appropriate.

<u>Concord Centre</u>: Development of lands both north and south of Highway 7 will allow for the creation of a new mixed-use focus for the well-established Concord community, and will support the significant transit hub associated with the proposed Concord GO Rail station and the 407 Transitway station. The Concord Centre and may include mid-rise or high-rise buildings as appropriate.

2.2.5.7. That Local Centres shall be planned to:

- develop with a mix of housing types and tenures, including housing suitable for seniors and families with children and affordable housing;
- be predominantly residential in character but include a mix of uses including retail,
 office and community facilities intended to serve the local population and attract
 activity throughout the day;
- c. be the preferred location for locally-delivered human and community services;
- d. be the focal points for expression of community heritage and character;
- e. develop at densities supportive of planned or potential public transit, taking into account the local urban fabric of each **Local Centre**;
- f. have a fine grain of streets suitable for pedestrians and cyclists, with appropriate internal links, such as sidewalks and greenways, through the Local Centre and links to the surrounding Community Areas;
- g. include well designed public open spaces that are either landscaped parks, or public plazas or both in a manner that is appropriate to the local context:
- h. encourage a pedestrian-friendly built form by locating active uses at grade; and,
- be designed and developed to implement appropriate transition of intensity and use to surrounding neighbourhoods, and/or separation from adjacent Employment Areas.

Primary Intensification Corridors

Certain streets in Vaughan, and the lands fronting onto them, have been identified as **Primary Intensification Corridors** to recognize the function they perform in linking the **Vaughan Metropolitan Centre**, Primary and **Local Centres** and accommodating higher-order transit. This category includes both Regional Corridors (e.g. Highway 7 and Yonge Street) and local corridors (e.g. Jane Street and Major Mackenzie Drive).

The **Primary Intensification Corridors** are more than just transportation routes: they will evolve as active and unique places in their own right, supporting a range

of uses. They are the focus for planned or future transit investment in recognition of their function as activity generators, and they will also be designed to comfortably and safely accommodate pedestrians and cyclists, as well as motor vehicles. The **Primary Intensification Corridors** are places for growth over time, both for mixeduse and employment-related *intensification* as per the land use designations in Chapter 9. Schedule 1 illustrates which **Primary Intensification Corridors** are within **Employment Areas.**

- 2.2.5.8. That **Primary Intensification Corridors** are *Intensification Areas* that are planned to evolve with either mixed-use or employment *intensification* over time to complement adjacent areas, support public transit, and enhance the structure of the City by linking the **Vaughan Metropolitan Centre**, **Primary Centres** and **Local Centres**.
- 2.2.5.9. That **Primary Intensification Corridors** shall be planned to:
 - a. develop with a mix of housing types and tenures, including housing suitable for seniors and families with children and *affordable* housing;
 - include a mix of non-residential uses including retail, office, institutional, commercial, community facilities and human services intended to serve both the local population and the City as a whole, and attract activity throughout the day;
 - c. develop at densities supportive of planned public transit;
 - include well designed public open spaces that are either landscaped parks, or public plazas or both in a manner that is appropriate to the local context;
 - e. encourage a pedestrian-friendly built form by locating active uses at grade; and,
 - f. be designed and developed to implement appropriate transition of intensity and use to surrounding Community Areas, and/or separation from adjacent Employment Areas.
- 2.2.5.10. That only properties with frontage directly on the street forming a **Primary**Intensification Corridor shall be considered appropriate for *intensification*. For clarity, properties that are rear-lotted against a **Primary Intensification Corridor**, or those that have frontage on a window street parallel to a **Primary Intensification Corridor**, are generally not considered appropriate for *intensification*.

- i. Townhouses;
- ii. Stacked Townhouses; and,
- iii. Low-Rise Buildings.

Commercial Mixed-Use

- 9.2.2.7. In areas designated on Schedule 13 as Commercial Mixed-Use, the following policies shall apply:
 - a. Areas designated as Commercial Mixed-Use are located along Primary Intensification Corridors. They shall be predominantly commercial areas appropriate for non-residential intensification and making efficient use of existing and planned transit investments. These areas are planned to be developed with commercial buildings that allow for a variety of business uses to occur in close proximity to each other in order to assist the City in achieving its overall employment targets and intensification objectives. These areas will be carefully designed with a high standard of architecture and public realm, and well integrated with adjacent areas.
 - b. The following uses are permitted in areas designated as Commercial Mixed-Use, in addition to those uses permitted through policy 9.2.1.8:
 - i. Office uses, up to a maximum of 12,500 square metres;
 - ii. Hotel;
 - iii. Retail uses; and,
 - iv. Gas stations, subject to the following criteria:
 - A. the use is located on an arterial street as indicated on Schedule 9;
 - B. the use is limited to one gas station per intersection; and,
 - C. no gas stations shall be permitted at the intersection of two arterial streets as indicated on Schedule 9.
 - c. In areas designated as Commercial Mixed-Use, and located in *Intensification Areas* identified on Schedule 1, a minimum of 30% of the total gross floor area of all uses on the lot shall consist of uses other than *retail* uses.

- d. Notwithstanding policy 9.2.2.7.c.i in areas designated as Commercial Mixed-Use and located within 500 metres of an existing or planned subway station, or where permitted through a Secondary Plan, office uses may exceed 12,500 square metres.
- e. The following Building Types are permitted in areas designated as Commercial Mixed-Use, pursuant to policies in Section 9.2.3 of this Plan:
 - i. Mid-Rise Buildings;
 - ii. Public and Private Institutional Buildings; and,
 - iii. Gas Stations.

Downtown Mixed-Use

9.2.2.8. The area designated as **Downtown Mixed-Use** on Schedule 13 forms the entirety of the **Vaughan Metropolitan Centre**. Development within this designation shall conform to the **Vaughan Metropolitan Centre** Secondary Plan contained in Volume 2 of this Plan.

General Employment

- 9.2.2.9. In areas designated on Schedule 13 as **General Employment**, the following policies shall apply:
 - a. General Employment areas are be predominantly industrial areas characterized by low scale buildings with a variety of lot sizes to provide flexibility for attracting and accommodating a wide range of industrial and associated employment uses. While areas designated as General Employment will continue to accommodate vehicles and trucks, development in these areas will be designed with pedestrian amenity to serve the daily employee population and to facilitate access to public transit.
 - b. The following uses are permitted in areas designated as **General Employment**, in addition to those uses permitted through policy 9.2.1.8:
 - A full range of industrial uses including manufacturing, warehousing (but not a retail warehouse), processing, transportation, distribution, any of which may or may not include outdoor storage;

- ii. Office and/or *retail* uses accessory to and directly associated with any of the uses listed in policy 9.2.2.9.b.i. provided that:
 - A. the accessory use is located on the same lot as the primary use;
 - B. the accessory retail use is limited to no more than 10% of the total gross floor area of the primary use;
 - C. the accessory office use is limited to no more than 40% of the total gross floor area of the primary use.
- c. The operation of any use must not result in a nuisance or have an adverse effect on neighbouring uses by virtue of the emission or discharge of noise, vibration, particulate, odour or other irritants.
- Separation distance guidelines prepared by the Ministry of Environment or alternative measures shall be applied to achieve compatibility between uses in the General Employment designation and adjacent sensitive land uses.
- e. No lot within General Employment designated areas shall be used for the sole purpose of outside storage. Where outside storage is proposed on a lot, a building must be provided in accordance with the provisions of the City's Zoning By-Law. Notwithstanding, outside storage shall not be permitted on a corner lot.
- f. The following Building Types are permitted in **General Employment** areas, pursuant to policies in Section 9.2.3 of this Plan:
 - i. Employment/Industrial Buildings;
 - ii. Low-Rise Buildings; and,
 - iii. Mid-Rise Buildings;

Prestige Employment

- 9.2.2.10. In areas designated on Schedule 13 as **Prestige Employment**, the following policies shall apply:
 - a. Prestige Employment areas shall be characterized by high quality buildings in an attractive pedestrian-friendly and transit-oriented working environment. A variety of lot sizes should be made available in areas designated as Prestige Employment

to provide flexibility for attracting and accommodating a wide range of employment uses.

- b. Prestige Employment areas shall generally be located on arterial streets forming the edges of Employment Areas, and along 400-series highways, in order to:
 - i. allow the areas to provide a transition between **General Employment** areas and more sensitive land uses,
 - ii. locate greater intensity uses on key transportation routes, and
 - iii. provide locational opportunities for activities which require high visual exposure and an attractive working environment.
- c. The following uses are permitted in areas designated as **Prestige Employment**, in addition to those uses permitted through policy 9.2.1.8:
 - Industrial uses including manufacturing, warehousing (but not a retail warehouse), processing, and distribution uses located within wholly enclosed buildings and which do not require outside storage. Outside storage is not permitted.
 - ii. Office and or *retail* uses accessory to and directly associated with any of the uses listed in policy 9.2.2.10.c.i. provided that:
 - A. the accessory use is located on the same lot as the primary use;
 - B. the accessory retail use is limited to no more than 10% of the total gross floor area of the primary use; and,
 - C. the accessory office use is limited to no more than 7,500 square metres or 40% of the total gross floor area of the primary use, whichever is greatest.
 - Office uses not accessory to and directly associated with any of the uses listed in policy 9.2.2.10.c.i., up to a maximum gross floor area of 7,500 square metres.
 - iv. Retail uses not accessory to and directly associated with any of the uses listed in policy 9.2.2.10.c.i., subject to the following conditions:
 - A. the gross floor area of any one *retail* unit generally shall not exceed 185 square metres;
 - B. the total gross floor area of all retail uses on any one lot generally shall not exceed 20% of the total gross floor area of all uses on the lot or 1,000 square metres, whichever is less; and,

- C. the *retail* use must be located within 200 metres of the intersection of two arterial or collector streets as indicated on Schedule 9; and,
- v. Gas stations, subject to the following criteria:
 - A. the use is located on an arterial street as indicated on Schedule 9:
 - B. the use is limited to one gas station per intersection; and,
 - C. no gas stations shall be permitted at the intersection of two arterial streets as indicated on Schedule 9.
- d. The operation of any use must not result in a nuisance or have an adverse effect on neighbouring uses by virtue of the emission or discharge of noise, vibration, particulate, odour or other irritants.
- e. Separation distance guidelines prepared by the Ministry of Environment or alternative measures shall be applied to achieve compatibility between uses in the **Prestige Employment** designation and adjacent sensitive land uses.
- f. The following Building Types are permitted in **Prestige Employment** areas pursuant to policies in Section 9.2.3 of this Plan:
 - i. Employment/Industrial Buildings;
 - ii. Low-Rise Buildings;
 - iii. Mid-Rise Buildings; and,
 - iv. Gas Stations.

Major Institutional

- 9.2.2.11. In areas designated on Schedule 13 as **Major Institutional**, the following policies shall apply:
 - a. The **Major institutional** designation should apply to major health, educational, cultural, and government uses that serve a City-wide or Regional function.
 - Permitted uses associated with a major institutional use identified in policy
 9.2.2.11.a include cultural facilities, libraries, parks and recreational facilities, small scale retail, day care, places of worship, and residential uses.

Low-Rise Buildings

- 9.2.3.4. The following policies and development criteria apply to Low-Rise Buildings:
 - Low-Rise Buildings are generally buildings up to a maximum of five storeys in height, and subject to the maximum building height permitted through Policy 9.2.1.4 and Schedule 13.
 - b. In order to provide appropriate privacy and daylight/sunlight conditions for any adjacent houseform buildings, Low-Rise Buildings on a lot that abuts the rear yards of a lot with a Detached House, Semi-Detached House or Townhouse shall generally be setback a minimum of 7.5 metres from the property line and shall be contained within a 45 degree angular plane measured from the property line abutting those houseform buildings.
 - c. Surface parking is not permitted between the front or side of a Low-Rise Building and a public street. Surface parking elsewhere on a lot with a Low-Rise Building shall generally be setback from any property line by a minimum of three metres and shall be appropriately screened through landscaping. The minimum width of the landscaped area shall be established in the Zoning By-law. All surface parking areas must provide a high level of landscaping treatment and pedestrian pathways and it is encouraged that the grading and landscaping materials for surface parking lots be designed as part of the site's stormwater management system.
 - d. The rooftop of Low-Rise Buildings should include landscaped green space, private outdoor amenity space or environmental features such as solar panels.

Mid-Rise Buildings

- 9.2.3.5. The following policies and development criteria apply to Mid-Rise Buildings:
 - a. Mid-Rise Buildings are generally buildings over five storeys in height, up to a maximum of twelve storeys in height, depending on the height permitted through policy 9.2.1.4 and Schedule 13.
 - Mid-Rise Buildings over six storeys in height shall be designed with a pedestrianscaled podium. The podium shall generally be between three and six storeys in

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- working with York Region, transit providers, and other agencies to achieve design excellence with all public infrastructure projects in the Vaughan Metropolitan Centre; and.
- c. by convening a Design Review Panel to review, at the discretion of the City, private and public development applications in the **Vaughan Metropolitan Centre**.

Primary Centres

In addition to the **Vaughan Metropolitan Centre**, the main places where transformation will occur in Vaughan are the **Primary Centres**, which will evolve as distinct places of major activity around planned subway stations and existing regional shopping destinations. The proposed hospital site is also positioned to evolve as a **Primary Centre** within the City given the city-wide importance of the services that will be provided there.

The **Primary Centres** will become mixed-use areas with residential development as well as a wide range of other uses that will serve the residents of the **Primary Centre**, the surrounding **Community Areas** and the City as a whole, including *retail* uses, institutional uses, office uses, *community facilities* and human services. They will be designed as transit-oriented, pedestrian-friendly places.

Vaughan Mills. Bathurst Street & Centre Street, and Weston Road & Regional Road 7 are each shopping destinations of regional significance, which have potential for residential intensification and the introduction of additional uses through development of surface parking areas, out-parcels and eventual redevelopment or intensification of the Vaughan Mills and Promenade Malls.

Yonge Street & Steeles Avenue. Steeles West (between Jane Street and Keele Street): Both of these Primary Centres will evolve as transit-oriented developments around planned public transit improvements. Yonge & Steeles and Steeles West have significant opportunity for both residential and office uses. Steeles West also has opportunities for institutional uses, with potential for synergies with York University.

Jane Street & Major Mackenzie Drive: As the proposed site of a new hospital, the northwest quadrant of Jane Street and Major Mackenzie Drive will evolve as a health care campus with associated *community facilities*, residential, and business uses.

2.2.5.6. That Primary Centres shall be planned to:

- develop with a mix of housing types and tenures, including housing suitable for seniors and families with children and affordable housing;
- include a mix of non-residential uses including retail, office, institutional, community facilities, and human services intended to serve both the local population and the City as a whole, and attract activity throughout the day;
- c. develop at densities supportive of planned public transit;
- d. have a fine grain of streets suitable for pedestrians and cyclists, with appropriate internal links and links to the surrounding Community Areas which may take the form of sidewalks and/or greenways;
- e. include well designed public open spaces that are either landscaped parks, or public plazas or both in a manner that is appropriate to the local context:
- f. encourage a pedestrian-friendly built form by locating active uses at grade; and,
- g. be designed and developed to implement appropriate transition of intensity and use to surrounding Community Areas, and/or separation from adjacent Employment Areas.

Local Centres

Local Centres will be the mixed-use cores of their respective communities. They will be predominantly residential in character but will also include a mix of uses to allow residents of the Local Centre and of the surrounding community to meet daily needs in close proximity to where they live or work. Local Centres will be pedestrian-oriented places with good urban design and an intensity of development appropriate for supporting efficient transit service.

The Historic Villages of Woodbridge, Maple, Kleinburg/Nashville, and Thornhill-Yonge Street: The historic village cores will continue to be the main areas for local commercial activity and community facilities. Each village core will experience development and/or intensification to varying degrees, as befits the local context. Development within these areas is also subject to Heritage Conservation District Plans.

<u>Vellore Village Centre and Carrville Centre:</u> The emerging **Local Centres** for Vaughan's newest communities will develop as mixed-use, pedestrian-friendly places. They will be the focus for multi-family development within their respective communities and may include mid-rise or high-rise buildings as appropriate.

- i. Mid-Rise Buildings; and,
- ii. Public and Private Institutional Buildings.
- d. Within 70 metres of an area designated as Low-Rise Residential or on streets that are not arterial streets or major collector streets, the following building types may be permitted, pursuant to policies in Section 9.2.3 of this Plan, in order to provide for an appropriate a transition to the Low-Rise Residential area:
 - i. Townhouses;
 - ii. Stacked Townhouses; and,
 - iii. Low-Rise Buildings.

Mid-Rise Mixed-Use

- 9.2.2.4. In areas designated on Schedule 13 as **Mid-Rise Mixed-Use**, the following policies shall apply
 - a. Mid-Rise Mixed-Use areas are generally located in *Intensification Areas* and provide for a mix of residential, *retail*, community and institutional uses. These areas will be carefully designed with a high standard of architecture and public realm, and well integrated with adjacent areas.
 - b. The following uses shall be permitted in areas designated as **Mid-Rise Mixed- Use**, in addition to those uses permitted through policy 9.2.1.8:
 - i. Residential units;
 - ii. Home Occupations;
 - iii. Community facilities;
 - iv. Cultural uses, including commercial galleries and theatres; and,
 - v. Retail uses subject to the policies of Section 5.2.3;
 - vi. Office uses up to a maximum of 7,500 square metres;
 - vii. Parking garage
 - viii. Hotel; and,
 - ix. Gas stations, subject to the following criteria:
 - A. the use is located on an arterial street as indicated on Schedule 9;
 - B. the use is limited to one gas station per intersection; and,
 - C. no gas stations shall be permitted at the intersection of two arterial streets as indicated on Schedule 9.

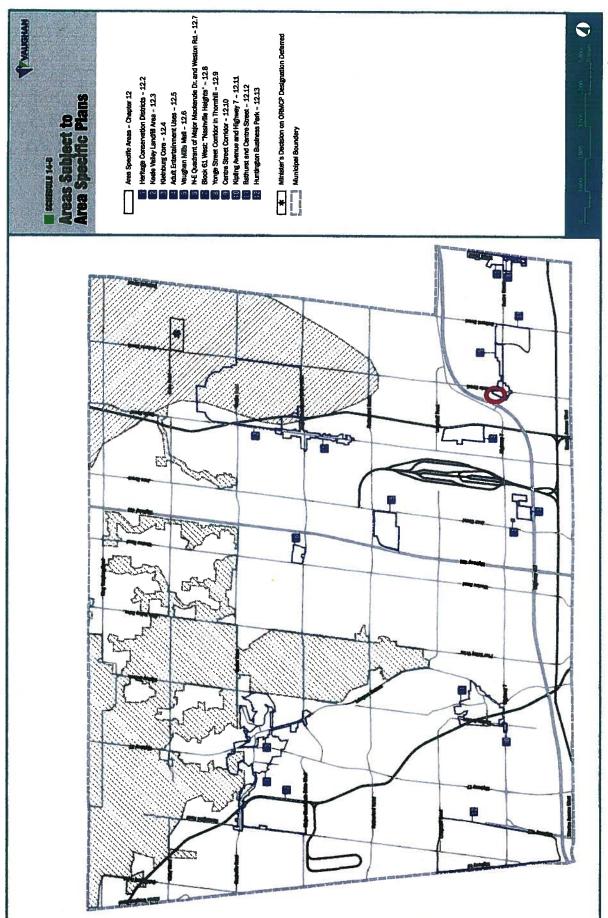
- c. In areas designated as Mid-Rise Mixed-Use the ground floor frontage of buildings facing arterial and collector streets shall predominantly consist of *retail* uses or other active uses that animate the street.
- d. In areas designated as Mid-Rise Mixed-Use and located in *Intensification Areas* identified on Schedule 1, *retail* uses shall not exceed 50% of the total gross floor area of all uses on the lot.
- e. In areas designated as **Mid-Rise Mixed-Use**, The following Building Types are permitted in areas designated as **Mid-Rise Mixed-Use**, pursuant to policies in Section 9.2.3 of this Plan:
 - i. Mid-Rise Buildings;
 - ii. Public and Private Institutional Buildings; and
 - iii. Gas Stations.
- f. Within 70 metres of an area designated as Low-Rise Residential or on streets that are not arterial streets or major collector streets, the following building types may be permitted, pursuant to policies in Section 9.2.3 of this Plan, in order to provide for an appropriate a transition to the Low-Rise Residential area:
 - i. Townhouses;
 - ii. Stacked Townhouses; and,
 - iii. Low-Rise Buildings

High-Rise Residential

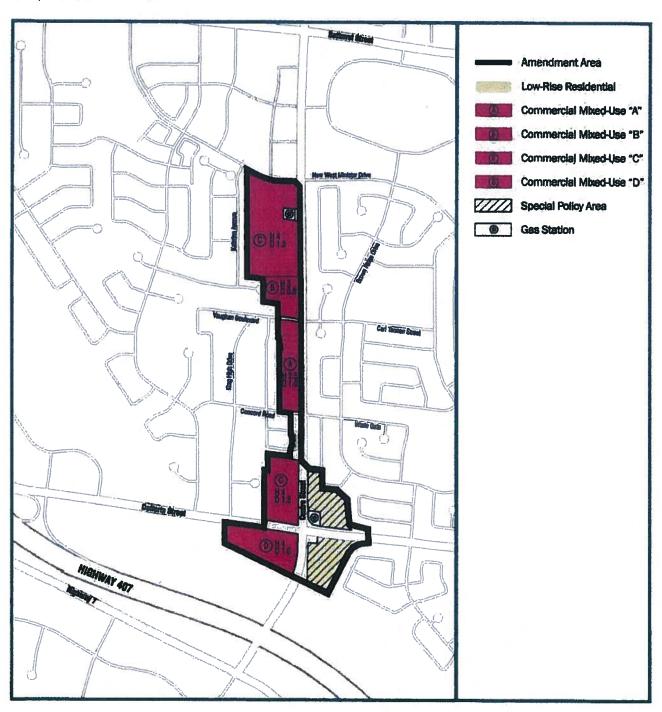
- 9.2.2.5. In areas designated on Schedule 13 as **High-Rise Residential**, the following policies apply:
 - a. High-Rise Residential areas are generally located in Intensification Areas and shall consist of primarily residential buildings. These areas will help achieve the City's population and intensification targets by establishing higher intensity housing forms. These areas will be carefully designed with a high standard of architecture and public realm, and well integrated with adjacent areas.

- a mix of retail spaces is encouraged, including both larger format stores that can
 act as commercial anchors for the street and smaller stores and services that can
 create a diversity of retail experiences;
- accommodating large food stores, including supermarkets, which are essential to serve the day-to-day shopping within communities and help to attract residential development to an area; and,
- f. where feasible, on-street parking should be available to provide added market support and exposure for street-front retailing.
- 5.2.3.5. To support *retail* uses, at appropriate locations, within **Community Areas**. These *retail* uses must be designed to support walking, cycling and transit use. They must be sensitive to and compatible with the character and form of the surrounding context.
- Major retail uses (those retail uses over 10,000 square metres on any single lot) are not permitted in Employment Areas. These uses are permitted in the Vaughan Metropolitan Centre and Primary Centres. Major retail uses are also permitted through a Zoning By-law Amendment, in Local Centres, and Primary Intensification Corridors subject to the following criteria:
 - a. there will continue to be sufficient market demand to allow *Intensification Areas*to attract *retail* opportunities and that such opportunities are not diminished by the
 proposed *major retail* use;
 - the minimum trade area population required to service the proposed major retail use exists or will exist when the facility is constructed;
 - c. the local and surrounding street network is not adversely impacted by traffic;
 - d. sufficient water, sewer and stormwater capacity exists;
 - e. the development is sited and oriented to support walking, cycling and transit use; and,
 - f. urban design guidelines are established for *major retail* development to promote a high-quality public realm and high-quality built form.
- 5.2.3.7. Drive-throughs facilities are a complement to general *retail* activity and shall only be located such that the use does not adversely affect the goals of *intensification*, pedestrianization, attractive streetscapes, transit supportiveness, or have an adverse impact on residential neighbourhoods. In addition to and in recognition of *Intensification Areas* and Heritage Conservation Districts, which are already subject

- n. sustainable development requirements consistent with Section 9.1.3 of this Plan; and,
- o. phasing of development.
- 10.1.1.3. That Secondary Plans shall be prepared in consultation with the community.
- That where it has been determined that a Secondary Plan is required but not yet completed, no amendments to this Plan or the zoning by-law will be permitted without prior or concurrent adoption of the Secondary Plan for that area.
- 10.1.1.5. That, where a Secondary Plan has been prepared, to provide a context for coordinated development, and to demonstrate conformity with the policies of the Secondary Plan, each development application, in particular those applications intended to develop over a number of phases, shall include a Development Concept Report, providing a detailed description of the proposed development, and the manner in which it addresses the policies of the Secondary Plan. The Development Concept Report may form part of the justification for a development application as determined through a pre-consultation meeting with the Planning Department and address the following matters:
 - a. phasing of development, from initial construction to ultimate completion;
 - b. ahievement of the transit-supportive and pedestrian-oriented uses;
 - c. how the development has regard for the land use and design policies of neighbouring municipalities where appropriate:
 - d. height and massing of buildings:
 - e. distribution of land uses, lot sizes and densities;
 - f. relationship between streets and buildings, including how the proposed development and subsequent phases address any Secondary Plan policies respecting build-to lines;
 - g. how the street-related *retail* uses are being provided in the current phase of the application;
 - h. integration of development with transit services;
 - i. pedestrian, bicycle, and vehicular circulation networks and integration with the City's Pedestrian and Bicycle Master Plan, as appropriate;
 - j. parks and open space system;
 - k. location, dimensions and character of publicly accessible private open spaces and pedestrian routes, showing their continuity and complementary relationship to adjacent public spaces, pedestrian routes and streets;



▼ Map 12.10.A: Centre Street Corridor



- 12.10.6.7. Building setbacks, visual screening, planting and/or fencing shall be provided between commercial uses and adjacent residential areas, except where such areas form an integral part of medium and high density residential schemes.
- 12.10.6.8. The following building types are permitted in **Commercial Mixed-Use Area C** shown on Map 12.10.A pursuant to policies in Section 9.2.3:
 - a. Employment/Industrial buildings; and,
 - b. Low-Rise buildings.

12.10.7 Land Use: Commercial Mixed-Use Area D

- 12.10.7.1. Notwithstanding policies 9.2.1.1, the following policies apply to the area identified as Commercial Mixed-Use Area D on Map 12.10.A.
- 12.10.7.2. A wide range of industrial, office, business and civic uses shall be permitted. No outside storage of goods or materials shall be permitted in this designation, provided that the priority uses for the area shall be offices, hotels with related hospitality and conference facilities, major corporate complexes and other prestige employment uses. The amount and type of retail commercial and personal service uses shall be limited to that which is ancillary to these priority functions and, in orientation and location, such uses shall be integrated within a development devoted to the priority uses.
- 12.10.7.3. In addition to the uses listed in policy 12.10.6.2, the following recreational and Institutional uses shall also be permitted:
 - a. community facilities;
 - b. arenas (private or public);
 - c. swimming pools (private or public);
 - d. greenway systems;
 - e. places of worship;
 - f. public health facilities;
 - g. cultural and social facilities;
 - h. day care centers;
 - i. non-profit clubs and organizations; and,
 - j. Branch Colleges
- 12.10.7.4. Civic uses are also permitted. Accordingly, a new fire station may be located in the area. If the City-owned site on Dufferin Street, currently the existing Patricia Kemp Community

Centre, is no longer required for civic purposes, this property may be reused for noncivic employment purposes permitted by the Prestige Area designation, without further amendment to this Plan.

- 12.10.7.5. A "service station/gas bar" use shall not be permitted within the subject lands.
- 12.10.7.6. Hydro Electric utility facilities are also a permitted use within the subject lands. If certain lands owned by Vaughan Hydro are identified as surplus to hydro needs, they may be developed for purposes permitted by the Commercial Mixed-Use designation described in policies 12.10.7.2 and 12.10.7.3, in conjunction with nearby private lands and in accordance with the applicable site-specific policies of this subsection.
- 12.10.7.7. The zoning by-law shall establish the permitted uses and development standards.
- 12.10.7.8. Vehicular access to lots abutting arterial roads and provincial highways shall generally be from the internal road network. Access to the provincial or arterial road systems shall be subject to the approval of the appropriate authority.
- 12.10.7.9. In instances where through lots are provided, buildings shall be designed so that all elevations facing a street present a "front" elevation. Loading areas are not considered appropriate in any yard facing a street. The location of loading areas will be controlled in the zoning by-law.
- 12.10.7.10. Notwithstanding policy 9.2.1.6, the lands identified as Commercial Mixed-Use Area D on Map 12.10.A shall be limited to a maximum overall density of 1.0 FSI.
- 12.10.7.11. Any site-specific rezoning application must be based on a Council approved comprehensive plan addressing the location of local roads, street access points, pedestrian connections, buildings, etc.
- 12.10.7.12. As a pre-requisite to the approval of development applications, comprehensive assembly or land exchanges shall be required in order to create efficient parcels to accommodate the intended development, as well as co-ordinated access to Dufferin Street for all land uses.

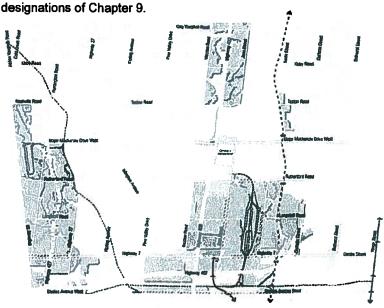
- 12.10.7.13. Access to all development parcels shall be consolidated by means of new public road(s) connecting the development parcels to Dufferin Street at planned signalized locations or, alternatively, in the event that comprehensive assembly makes the public road provision unnecessary, by means of private agreements, easements and/or rights-of-way to achieve the same consolidation of access points for all land uses, including Vaughan Hydro facilities.
- 12.10.7.14. The following building types are permitted in **Commercial Mixed-Use Area D** shown on Map 12.10.A pursuant to policies in Section 9.2.3:
 - a. Employment/Industrial buildings; and,
 - b. Low-Rise buildings.
- 12.10.8 Land Use: Gas Station
- 12.10.8.1. Notwithstanding policy 9.2.1.1 regarding Gas Stations, such uses are permitted in the locations identified on Map 12.10.A.
- 12.10.8.2. Notwithstanding the above, any Gas Station site designated on Map 12.10.A may be developed in accordance with the land use designation of the immediately adjoining land without amendment to this Secondary Plan.
- 12.10.8.3. Convenience Retail uses are permitted on the same site as an automobile gas bar, provided that such uses are sensitively designed and integrated on the site, and in particular, are compatible with surrounding development.
- 12.10.8.4. Outside storage shall be limited in any future implementing zoning by-laws.
- 12.10.8.5. On the property at 1030 Centre Street, where an automobile service station is located, the permitted uses shall be the sale of auto fuel, oil and lubricant and other related products, the provision of repair and maintenance services for vehicles, and the existing car wash and convenience retail use as listed on the property. Any future redevelopment of this site shall be subject to the following compatibility criteria.
 - a. The site shall be developed pursuant to an approved site plan which demonstrates proper site access, internal traffic circulation, adequate parking, substantial landscaped areas and appropriate urban design characteristics that will ensure compatibility with the adjacent lands; and,
 - b. The design, appearance and scale of development on the site shall be consistent with the existing and intended character of the surrounding community, with utmost consideration given to aesthetic design.

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2.2.3.7. That the lands fronting on Huntington Road, between the rail line to the west and the Huntington Road Community to the immediate east are recognized as an area for future residential development as an extension of the Huntington Road Community with the aim of establishing a more *complete community*. This extension will require an Official Plan amendment in the future.

2.2.4

Employment Areas are intended for the use of economic activities that require separation from other uses in order to achieve their maximum potential. While Vaughan is anticipated to see significant job growth in Employment Areas, they are considered stable areas and their planned function for economic activity related to industrial, manufacturing, warehousing and some offices uses is to be maintained. In order to continue Vaughan's success at attracting the kind of economic activity that requires a location in Employment Areas, the City's Employment Areas must be protected from encroaching non-employment uses that would serve to destabilize their planned function, including residential and major retail uses. Office uses are permitted in Employment Areas subject to locational and site criteria as set out in the land use



A Figure 5
Employment Areas

Further protection of **Employment Areas** is derived from the Growth Plan policy which only permits conversion of lands within designated **Employment Areas** to allow non-employment uses through a *municipal comprehensive review* (Growth Plan Policy 2.2.6.5). For clarity, this means that site-specific amendments initiated by land owners to convert designated **Employment Areas**, shown on Schedule 1, to non-employment uses are not permitted.

It is the policy of Council:

- 2.2.4.1. That the planned function of the Employment Areas, as shown on Schedule 1, is to support economic activity in Vaughan by supplying land for a range of industrial, manufacturing, warehousing and, where appropriate, some office uses.
- 2.2.4.2. To provide sufficient **Employment Areas** and appropriate land use designations to help achieve the York Region Official Plan target of a minimum average **Employment Area** density of 40 jobs per hectare across York Region.
- 2.2.4.3. That, in accordance with Provincial policy, conversion of Employment Areas to non-employment uses, which includes any retail uses not otherwise permitted in Employment Areas by this Plan, may only be accomplished through a municipal comprehensive review, coordinated with York Region. The criteria for permitting Employment Area conversions as contained in the Growth Plan (policy 2.2.6.5) will be used at the time of the municipal comprehensive review.
- 2.2.4.4. That limited *retail* uses may be located within **Employment Areas** to serve the day-to-day needs of surrounding businesses and their employees, in accordance with the policies of this plan.
- 2.2.4.5. To encourage a range of parcel sizes within **Employment Areas** to maintain the flexibility to attract a variety of businesses.
- 2.2.4.6. To accommodate and facilitate the provision of local transit to and through **Employment Areas** where such service does not yet exist, and to enhance and improve local transit where it does exist, through transit-friendly urban design including sidewalks, pedestrian paths and minimized building setbacks where fronts of buildings face the street.

- 2.2.4.7. To accommodate and facilitate the use of active transportation to and within **Employment Areas** by providing on or off-street bikeways, connected greenways and bicycle parking facilities.
- 2.2.4.8. To provide an appropriate level of parkland in **Employment Areas** to enhance their attractiveness and provide for the casual and recreational needs of employees and the general public.

2.2.5 Intensification Areas

Intensification Areas in Vaughan will be the primary locations for the accommodation of the 45% intensification target. They consist of a hierarchy of mixed-use centres and corridors as follows:

- The Vaughan Metropolitan Centre will be the City's downtown. It will have the
 widest range of uses and will have buildings of various size, including the tallest
 buildings in the City.
- Primary Centres will accommodate a wide range of uses and will have tall buildings, as well as lower ones, to facilitate an appropriate transition to neighbouring areas.
- Primary Intensification Corridors include both Regional Corridors (e.g.
 Highway 7 and Yonge Street) and local corridors (e.g. Jane Street and Major
 Mackenzie Drive). They will link various centres and are linear places of
 activity in their own right. They may accommodate mixed-use intensification or
 employment intensification.
- Local Centres act as the focus for communities, are lower in scale and offer a more limited range of uses.

- ii. Office and/or *retail* uses accessory to and directly associated with any of the uses listed in policy 9.2.2.9.b.i. provided that:
 - A. the accessory use is located on the same lot as the primary use;
 - B. the accessory retail use is limited to no more than 10% of the total gross floor area of the primary use;
 - C. the accessory office use is limited to no more than 40% of the total gross floor area of the primary use.
- c. The operation of any use must not result in a nuisance or have an adverse effect on neighbouring uses by virtue of the emission or discharge of noise, vibration, particulate, odour or other irritants.
- d. Separation distance guidelines prepared by the Ministry of Environment or alternative measures shall be applied to achieve compatibility between uses in the General Employment designation and adjacent sensitive land uses.
- e. No lot within General Employment designated areas shall be used for the sole purpose of outside storage. Where outside storage is proposed on a lot, a building must be provided in accordance with the provisions of the City's Zoning By-Law. Notwithstanding, outside storage shall not be permitted on a corner lot.
- f. The following Building Types are permitted in **General Employment** areas, pursuant to policies in Section 9.2.3 of this Plan:
 - i. Employment/Industrial Buildings;
 - ii. Low-Rise Buildings; and,
 - iii. Mid-Rise Buildings;

Prestige Employment

- 9.2.2.10. In areas designated on Schedule 13 as **Prestige Employment**, the following policies shall apply:
 - a. Prestige Employment areas shall be characterized by high quality buildings in an attractive pedestrian-friendly and transit-oriented working environment. A variety of lot sizes should be made available in areas designated as Prestige Employment

to provide flexibility for attracting and accommodating a wide range of employment uses.

- b. Prestige Employment areas shall generally be located on arterial streets forming the edges of Employment Areas, and along 400-series highways, in order to:
 - i. allow the areas to provide a transition between **General Employment** areas and more sensitive land uses,
 - ii. locate greater intensity uses on key transportation routes, and
 - provide locational opportunities for activities which require high visual exposure and an attractive working environment.
- c. The following uses are permitted in areas designated as Prestige Employment, in addition to those uses permitted through policy 9.2.1.8:
 - i. Industrial uses including manufacturing, warehousing (but not a retail warehouse), processing, and distribution uses located within wholly enclosed buildings and which do not require outside storage. Outside storage is not permitted.
 - ii. Office and or *retail* uses accessory to and directly associated with any of the uses listed in policy 9.2.2.10.c.i. provided that:
 - A. the accessory use is located on the same lot as the primary use;
 - B. the accessory retail use is limited to no more than 10% of the total gross floor area of the primary use; and,
 - C. the accessory office use is limited to no more than 7,500 square metres or 40% of the total gross floor area of the primary use, whichever is greatest.
 - Office uses not accessory to and directly associated with any of the uses listed in policy 9.2.2.10.c.i., up to a maximum gross floor area of 7,500 square metres.
 - iv. Retail uses not accessory to and directly associated with any of the uses listed in policy 9.2.2.10.c.i., subject to the following conditions:
 - A. the gross floor area of any one *retail* unit generally shall not exceed 185 square metres;
 - B. the total gross floor area of all *retail* uses on any one lot generally shall not exceed 20% of the total gross floor area of all uses on the lot or 1,000 square metres, whichever is less; and,

- C. the *retail* use must be located within 200 metres of the intersection of two arterial or collector streets as indicated on Schedule 9; and,
- v. Gas stations, subject to the following criteria:
 - A. the use is located on an arterial street as indicated on Schedule 9;
 - B. the use is limited to one gas station per intersection; and,
 - C. no gas stations shall be permitted at the intersection of two arterial streets as indicated on Schedule 9.
- d. The operation of any use must not result in a nuisance or have an adverse effect on neighbouring uses by virtue of the emission or discharge of noise, vibration, particulate, odour or other irritants.
- e. Separation distance guidelines prepared by the Ministry of Environment or alternative measures shall be applied to achieve compatibility between uses in the **Prestige Employment** designation and adjacent sensitive land uses.
- f. The following Building Types are permitted in **Prestige Employment** areas pursuant to policies in Section 9.2.3 of this Plan:
 - i. Employment/Industrial Buildings;
 - ii. Low-Rise Buildings;
 - iii. Mid-Rise Buildings; and,
 - iv. Gas Stations.

Major Institutional

- 9.2.2.11. In areas designated on Schedule 13 as **Major Institutional**, the following policies shall apply:
 - a. The **Major Institutional** designation should apply to major health, educational, cultural, and government uses that serve a City-wide or Regional function.
 - b. Permitted uses associated with a major institutional use identified in policy
 9.2.2.11.a include cultural facilities, libraries, parks and recreational facilities, small scale *retail*, *day care*, places of worship, and residential uses.

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- 2.2.4.7. To accommodate and facilitate the use of active transportation to and within **Employment Areas** by providing on or off-street bikeways, connected greenways and bicycle parking facilities.
- 2.2.4.8. To provide an appropriate level of parkland in **Employment Areas** to enhance their attractiveness and provide for the casual and recreational needs of employees and the general public.

2.2.5 Intensification Areas

Intensification Areas in Vaughan will be the primary locations for the accommodation of the 45% *intensification* target. They consist of a hierarchy of mixed-use centres and corridors as follows:

- The Vaughan Metropolitan Centre will be the City's downtown. It will have the
 widest range of uses and will have buildings of various size, including the tallest
 buildings in the City.
- Primary Centres will accommodate a wide range of uses and will have tall buildings, as well as lower ones, to facilitate an appropriate transition to neighbouring areas.
- Primary Intensification Corridors include both Regional Corridors (e.g.
 Highway 7 and Yonge Street) and local corridors (e.g. Jane Street and Major
 Mackenzie Drive). They will link various centres and are linear places of
 activity in their own right. They may accommodate mixed-use intensification or
 employment intensification.
- Local Centres act as the focus for communities, are lower in scale and offer a more limited range of uses.

Rural Residential

- 9.2.2.18. In areas designated on Schedule 13 as Rural Residential, the following policies apply:
 - The Rural Residential designation consists of existing residential dwellings within the area shown on Schedule 1 as Natural Areas and Countryside.
 - b. Only those uses legally existing prior to the adoption of this Plan are permitted on lands designated as **Rural Residential**.
 - c. Only those building types legally existing prior to the adoption of this Plan are permitted on lands designated **Rural Residential** areas.

Infrastructure and Utilities

- 9.2.2.19. In areas designated on Schedule 13 as **Infrastructure and Utilities**, the following policies shall apply:
 - The Infrastructure and Utilities designation applies to lands which are used at grade for the provision of infrastructure, such as utility corridors and stormwater management ponds.
 - b. The following uses are permitted in areas designated as **Infrastructure and**Utilities:
 - i. all uses and structures associated with the provision of a utility or municipal service;
 - ii. secondary uses such as passive or active recreation, community gardens, other utilities, parking lots and outdoor storage that are accessory to adjacent land uses subject to the review/approval of the utility provider.
 - c. Notwithstanding policy 9.2.2.19.b, the following applies to the high pressure natural gas pipelines operated by TransCanada PipeLines Limited and identified on Schedule 12:
 - no permanent building or structure may be located within 7 metres of the pipeline right-of-way. A reduction in the 7 metre setback shall only be considered if agreed to by TransCanada PipeLine Limited and if all necessary municipal approvals are obtained;

- accessory structures shall have a minimum setback of 3 metres from the limit of the pipeline right-of-way;
- iii. where development is proposed within 750 metres of a TransCanada compressor station, regard shall be given to noise levels. A noise and vibration study to be carried out by the proponent, to the satisfaction of the City, may be required. The study shall determine if applicable provincial guidelines can be achieved, and if necessary, recommend appropriate mitigation measures; and,
- iv. the City shall encourage the development of the TransCanada right-of-way for passive recreation purposes subject to TransCanada's easement rights.
- d. Given the specialized nature of Infrastructure and Utilities, building types are not prescribed

- working with York Region, transit providers, and other agencies to achieve design excellence with all public infrastructure projects in the Vaughan Metropolitan Centre; and.
- c. by convening a Design Review Panel to review, at the discretion of the City, private and public development applications in the **Vaughan Metropolitan Centre**.

Primary Centres

In addition to the **Vaughan Metropolitan Centre**, the main places where transformation will occur in Vaughan are the **Primary Centres**, which will evolve as distinct places of major activity around planned subway stations and existing regional shopping destinations. The proposed hospital site is also positioned to evolve as a **Primary Centre** within the City given the city-wide importance of the services that will be provided there.

The **Primary Centres** will become mixed-use areas with residential development as well as a wide range of other uses that will serve the residents of the **Primary Centre**, the surrounding **Community Areas** and the City as a whole, including *retail* uses, institutional uses, office uses, *community facilities* and human services. They will be designed as transit-oriented, pedestrian-friendly places.

Vaughan Mills. Bathurst Street & Centre Street, and Weston Road & Regional Road 7 are each shopping destinations of regional significance, which have potential for residential *intensification* and the introduction of additional uses through development of surface parking areas, out-parcels and eventual redevelopment or *intensification* of the Vaughan Mills and Promenade Malls.

Yonge Street & Steeles Avenue. Steeles West (between Jane Street and Keele Street): Both of these Primary Centres will evolve as transit-oriented developments around planned public transit improvements. Yonge & Steeles and Steeles West have significant opportunity for both residential and office uses. Steeles West also has opportunities for institutional uses, with potential for synergies with York University.

<u>Jane Street & Major Mackenzie Drive</u>: As the proposed site of a new hospital, the northwest quadrant of Jane Street and Major Mackenzie Drive will evolve as a health care campus with associated *community facilities*, residential, and business uses.

2.2.5.6. That **Primary Centres** shall be planned to:

- a. develop with a mix of housing types and tenures, including housing suitable for seniors and families with children and *affordable* housing;
- include a mix of non-residential uses including retail, office, institutional, community facilities, and human services intended to serve both the local population and the City as a whole, and attract activity throughout the day;
- c. develop at densities supportive of planned public transit;
- have a fine grain of streets suitable for pedestrians and cyclists, with appropriate internal links and links to the surrounding Community Areas which may take the form of sidewalks and/or greenways;
- e. include well designed public open spaces that are either landscaped parks, or public plazas or both in a manner that is appropriate to the local context;
- f. encourage a pedestrian-friendly built form by locating active uses at grade; and,
- g. be designed and developed to implement appropriate transition of intensity and use to surrounding Community Areas, and/or separation from adjacent Employment Areas.

Local Centres

Local Centres will be the mixed-use cores of their respective communities. They will be predominantly residential in character but will also include a mix of uses to allow residents of the Local Centre and of the surrounding community to meet daily needs in close proximity to where they live or work. Local Centres will be pedestrian-oriented places with good urban design and an intensity of development appropriate for supporting efficient transit service.

The Historic Villages of Woodbridge, Maple, Kleinburg/Nashville, and Thornhill-Yonge Street: The historic village cores will continue to be the main areas for local commercial activity and community facilities. Each village core will experience development and/or intensification to varying degrees, as befits the local context. Development within these areas is also subject to Heritage Conservation District Plans.

<u>Vellore Village Centre and Carrville Centre:</u> The emerging **Local Centres** for Vaughan's newest communities will develop as mixed-use, pedestrian-friendly places. They will be the focus for multi-family development within their respective communities and may include mid-rise or high-rise buildings as appropriate.

- a mix of retail spaces is encouraged, including both larger format stores that can
 act as commercial anchors for the street and smaller stores and services that can
 create a diversity of retail experiences;
- e. accommodating large food stores, including supermarkets, which are essential to serve the day-to-day shopping within communities and help to attract residential development to an area; and,
- f. where feasible, on-street parking should be available to provide added market support and exposure for street-front retailing.
- 5.2.3.5. To support *retail* uses, at appropriate locations, within **Community Areas**. These retail uses must be designed to support walking, cycling and transit use. They must be sensitive to and compatible with the character and form of the surrounding context.
- Major retail uses (those retail uses over 10,000 square metres on any single lot) are not permitted in Employment Areas. These uses are permitted in the Vaughan Metropolitan Centre and Primary Centres. Major retail uses are also permitted through a Zoning By-law Amendment, in Local Centres, and Primary Intensification Corridors subject to the following criteria:
 - there will continue to be sufficient market demand to allow *Intensification Areas* to attract *retail* opportunities and that such opportunities are not diminished by the proposed *major retail* use;
 - b. the minimum trade area population required to service the proposed *major retail* use exists or will exist when the facility is constructed;
 - c. the local and surrounding street network is not adversely impacted by traffic;
 - d. sufficient water, sewer and stormwater capacity exists;
 - e. the development is sited and oriented to support walking, cycling and transit use; and,
 - f. urban design guidelines are established for *major retail* development to promote a high-quality public realm and high-quality built form.
- 5.2.3.7. Drive-throughs facilities are a complement to general *retail* activity and shall only be located such that the use does not adversely affect the goals of *intensification*, pedestrianization, attractive streetscapes, transit supportiveness, or have an adverse impact on residential neighbourhoods. In addition to and in recognition of *Intensification Areas* and Heritage Conservation Districts, which are already subject

- be designed to complement adjacent buildings.
- iv) Individual driveway access to Trafalgar Road or any major arterial or arterial road shall not be permitted.
- v) Parking within the Chartwell and Cornwall Districts shall be provided in a combination of below and above grade structures and surface lots.

20.4.2 Urban Design

- a) Minimum and maximum building heights shall be permitted in accordance with Schedule L2. Additional building height may be considered in accordance with the applicable bonusing policies in this Plan.
- b) Minor reductions to the minimum building heights required by Schedule L2 may be considered as part of comprehensive redevelopment applications to allow flexibility in building and site design. Such consideration shall only be given where it can be demonstrated that the policies of sections 20.2 and 20.3 of the Plan are met and the planned *intensification* for the site(s) can be achieved.
 - c) Detailed urban design and streetscape guidelines will be prepared for Midtown Oakville to establish standards for built form and the treatment of public and private realms.
 - d) Different planning tools, such as urban design plans and *form based zoning*, will be used to implement the Midtown Oakville policies to incorporate urban design requirements and provide minimum regulations to ensure *intensification* targets are achieved.

20.4.3 Growth Targets

- a) Midtown Oakville shall provide for a minimum gross density of 200 residents and jobs combined per hectare by 2031 in accordance with the *Growth Plan*. This translates to approximately 20,000 residents and jobs. A mix of approximately 5,900 residential units and 186,000 279,000 square metres of commercial and employment space is accommodated to provide for an estimated 12,000 residents and 8,000 jobs.
- b) For the purpose of gross density calculations, the *utility* corridor, railway, QEW interchange and Sixteen Mile Creek valleylands shall be excluded from the land area calculation.

20.5 Land Use Policies

Land use designations are provided on Schedule L1. In addition to the policies in Parts C and D of this Plan, the following policies apply specifically to Midtown Oakville.

- d) The lands designated Urban Centre and Urban Core at the northeast corner of Cross Avenue and Lyons Lane, and known collectively as the Trafalgar Village Mall, are subject to the following additional policies:
 - i) Redevelopment will occur gradually in a phased manner.
 - ii) The proposed roads, as shown on Schedule L3, shall only be required as part of a comprehensive site redevelopment.
 - iii) New large format retail and retail warehouse uses may also be permitted provided that they are located within mixed use buildings developed in conformity with this Plan.

20.6 Implementation Policies

In addition to the policies in Part F of this Plan, the following implementation policies apply specifically to Midtown Oakville.

20.6.1 Phasing/Transition

- a) Development will likely occur gradually over the long-term and be co-ordinated with the provision of *infrastructure*, including:
 - i) transit (conventional and rapid transit);
 - ii) road network capacity;
 - iii) pedestrian and cycling facilities;
 - iv) water and waste water services;
 - v) stormwater management facilities;
 - vi) streetscape improvements; and,
 - vii) utilities.
- b) Initial phases of *development* shall not preclude the achievement of a compact, pedestrian-oriented and *transit-supportive* urban form, or the transportation network on Schedule L3.
- The uses and buildings that legally existed prior to the adoption of this Plan shall be permitted to continue, however, they are ultimately intended to be redeveloped in conformity with this Plan.
- d) The redevelopment of existing low-rise commercial centres and uses may occur gradually in a phased manner. Notwithstanding the minimum heights shown on Schedule L2, building additions, alterations and/or replacements may be



Engineers Planners Project Managers

EMC File No.: 205102-PL

June 17, 2011

Via Email and Mail (5 pages)

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

Attention:

Heather J. Konefat

Director, Community Planning

Dear Madam:

Re:

City of Vaughan (2010) Official Plan

Modification Request

Enza Realty Limited (Domenic Marzano)

Kleinburg Lower Village - Development Proposal

Part Lot 24, Concession 8

(south-east corner Highway 27 and Nashville Road)

Community of Kleinburg, City of Vaughan

Regional Municipality of York

Thank you very much for convening the June 13th review meeting with Regional and City Planning staff with respect to our land use designation 'modification' request relative to the above-noted property. From our session, we understand that:

- as the approval authority, York Region is considering requested 'modifications' as part of the overall review and approval process associated with the City of Vaughan Council 'adopted' (September 7, 2010) Official Plan document; and
- 2. that City Planning staff are anticipating reporting back to Committee of the Whole in September 2011 and subsequently to Council, while Regional Planning staff are scheduled to table a report with Planning & Economic Development Committee and subsequently with Regional Council sometimes during the Winter.

As now filed as part of the public record, we submitted Vaughan Official Plan ("VOP") review comments on behalf of the property owner dated:

- 1. February 4, 2011;
- 2. September 1, 2010;
- 3. August 25, 2010; and
- 4. August 6, 2010;

which collectively articulated various concerns with and objections to both the 'draft' and the 'adopted' Official Plan documents. Simply stated, our comments were as follows:

EMC No.: 205102 York Planning Enza Realty Page 2

- Correspondence dated August 6th re: 'Draft' VOP Volume 1 (April 2010): within the
 context of the preparation of a conceptual development plan in collaboration with MBTW
 Group / Watchorn Architects Inc., we requested consideration of increased height and
 density provisions as affecting the subject lands which were being designated as "LowRise Mixed Use";
- 2. Correspondence dated August 25th re: 'Draft' VOP Volume 2 (August 2010): we requested a 'modification' (in essence a correction to the land use designation) to the appropriate "Low-Rise Mixed-Use" designation (rather than the "Natural Areas" designation) to not only parallel the 'draft' April 2010 Plan document, but more specifically to reflect subject property designations within both local Official Plan Amendment No. 601 ("Kleinburg Core Area") and Official Plan Amendment No. 633 ("Mainstreet Commercial"), as approved;
- 3. Correspondence dated September 1st re: 'Draft' VOP Volume 1 (April 2010) and Volume 2 (May / August 2010): we again requested a land use designation 'modification' relative to the delineation of the "Low-Rise Mixed Use" and "Natural Areas" designations, as well as associated density and height restriction: and
- 4. Correspondence dated February 4th re: 'Adopted' VOP (September 7, 2010): we again reiterated the need to correct the land use designation ("Natural Areas") error and to modify the land use to the correct "Low-Rise Mixed-Use" designation, as well as the need to revisit associated policy (height and density / FSI) provisions.

With respect to the land use designation being incorrect and therefore the subject of the requested 'modification', we need to understand how and why the designation from the 'draft' VOP April 2010 document ("Low-Rise Mixed Use") was revised in the 'adopted' VOP (September 2010) document ("Natural Areas") -- in essence, what is the technical justification and support for such a change. Additionally, please be advised that:

- at our October 18, 2010 preliminary conceptual development plan review meeting with senior City Planning staff, along with our urban design (MBTW) and architectural (Watchorn) consultants, when Development Planning staff highlighted that the lands are designated in the 'adopted' VOP as "Natural Areas", Policy / Urban Design staff -unless we misinterpreted the comments -- indicated and confirmed that the designation was wrong and that the intent was to deal with and correct same; and
- the error and need for a concomitant correction was also noted by an independent planning consultant undertaking a due diligence review for a perspective interested party (a copy of such follow up correspondence from Riepma Consultants Inc. to City staff is attached for easy reference).

Until such time that land use designation is corrected and the requested modification is approved, coupled with a staff's explanation, we continue to have concerns with and bring forward our objections to the September 7, 2010 'adopted' City of Vaughan Official Plan document.



EMC No.: 205102 York Planning Enza Realty Page 3

Thank you very much for your attention to this matter and should further meetings and/or discussions need to be scheduled, we ask that you please advise accordingly.

Yours truly,

EMC GROUP JAMITEA

Yarji Michael Pelech, MA(Pl), MCIP, RPP Sentor Planner

atich.

c.c. Diana Birchall, Director Policy Planning / Urban Design, City of Vaughan Augustine Ko, Senior Planner, York Region Clement Chong, Senior Policy Planner, City of Vaughan

Z:\205102\Planning\205102 YR PlgDept VOP Ltr Jn1711.doc



Yurij Pelech

From:

Domenic Marzano [domenic@alphamarathon.com]

Sent:

Friday, March 11, 2011 9:21 AM

To:

Yurii Pelech

Subject: FW: South east corner Nashville Road and Highway 27

Yurij, good morning

Did you received this E Mail this morning?

ADVISE

Regards,

Domenic Marzano President ALPHA MARATHON FILM EXTRUSION TECHNOLOGIES INC.-

FOR: RENEWABLE AND GREEN ENERGY

TEL: (905) 265-2055 FAX: (905) 265-8817

domenic@alphamarathon.com

alpha@alphamarathon.com

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If you received this transmission in error, please contact the sender and delete the material from any computer immediately. Thank you.



From: Clare Riepma [mailto:riepma@riepma.ca]

Sent: March 11, 2011 8:36 AM To: melissa.rossi@vaughan.ca Cc: margaret.holiday@vaughan.ca

Subject: South east corner Nashville Road and Highway 27

Dear Melissa

Further to my discussion with Margaret Holiday yesterday. As you are aware the properties in question are designated as Commercial Core Area in the Kleinburg secondary Plan. In the new proposed official plan the lands are shown as Natural Area with a height and density limit. I understand that this is in error and wish to confirm that it is your intention to correct this.

Please provide me with the corrected documents.

If you wish to discuss this further with me, please do not hesitate to contact me

Best regards

Clare

Riepma Consultants Inc.

Clare Riepma, P.Eng. RPP President

13041 Highway 7 Georgetown, Ontario L7G 4S4

905-877-6751 www.riepma.ca riepma@riepma.ca June 14, 2011

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

Attention:

Mr. Bryan Tuckey, MCIP, RPP

Commissioner of Planning and Development Services

Dear Sir:

Re: City of Vaughan Official Plan

Our File 10-712

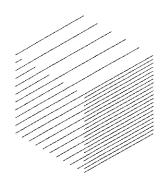
On behalf of our client, Suncor Energy Inc. (formerly Petro-Canada and Sunoco), we are submitting this letter as an addendum to our letter dated December 15, 2010 (attached) commenting on the Council-adopted City of Vaughan Official Plan policies pertaining to gas stations and drive-through facilities.

We trust that Regional staff taken into consideration our previous comments regarding Suncor's twenty-three (23) sites in the City of Vaughan as part of their review of the Council-adopted City of Vaughan Official Plan. Should Regional Staff have any questions related to our comments or require clarification please do not hesitate to contact the undersigned.

Further, we request that a Notice of Decision be sent to the address indicated above once a decision is made in regard to the Council-adopted City of Vaughan Official Plan.

Yours very truly,

Planning Urban Design



90 Eglinton Avenue East Suite 701 Toronto, Ontario M4P 2Y3

Tel. 416/968-3511 Fax. 416/960-0172 e-mail: admin@wndplan.com

web:

www.wndplan.com

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WALKER, NOTT, DRAGICEVIC ASSOCIATES LIMITED

Planning · Urban Design

Wendy 100

Wendy Nott, FCIP, RPP Senior Principal

Enc.

cc. Vincent Serratore, Suncor Energy Products Inc. Paul Park, Suncor Energy Products Inc. Peter R. Walker, FCIP, RPP Wendy Nott, FCIP, RPP Robert A. Dragicevic, MCIP, RPP Senior Principals

Andrew Ferancik, MCIP, RPP Senior Associate

Martha Coffey Controller

Walker, Nott, Dragicevic **Associates Limited** Planning Urban Design

December 15, 2010

Regional Municipality of York York Region Administration Building 17250 Yonge Street, 4th floor Newmarket, ON L3Y 6Z1

Attention:

Mr. Bryan Tuckey, MCIP, RPP

Commissioner of Planning and Development Services

Dear Sir:

Re:

City of Vaughan Official Plan

Our File 10-712

On behalf of our client, Suncor Energy Inc. (formerly Petro-Canada and Sunoco) we are submitting the following comments and materials in response to the Council-adopted City of Vaughan Official Plan. This letter outlines Suncor's concerns as they pertain to Suncor's twenty-three (23) sites located in the City of Vaughan.

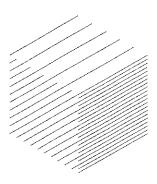
Through its membership in the Canadian Petroleum Products Institute ('CPPI'), submissions were made to the City of Vaughan regarding proposed policies pertaining to gas stations and ancillary uses (such as car washes and drivethrough facilities). Accordingly this submission and its enclosed materials should be read in conjunction with comments provided to the City of Vaughan's Clerk's Department by the Canadian Petroleum Products Institute June 7th, 2010 and July 27th, 2010.

However, in addition to these submissions, Suncor has a number of concerns regarding the City's proposed land use designations (and related policies) as they apply to properties that it operates within the municipality.

Inventory of Suncor Properties

The accompanying chart clarifies specific areas of concern for various sites referenced in this letter. We have organized the letter into the following topic areas:

- 1. Legal non-compliant status;
- 2. Suncor sites located in designations that do not permit gas stations;
- 3. Suncor sites located at intersections with more than one gas station;
- Suncor sites located at the intersections of two arterial roads; and,
- 5. Suncor sites located in Intensification Areas where drive-through facilities are prohibited.



90 Eglinton Avenue East Suite 701 Toronto, Ontario M4P 2Y3

416/968-3511 Tel. 416/960-0172 Fax e-mail: admin@wndplan.com web:

www.wndplan.com

Peter R. Walker FCIP RPP Wendy Nott, FCIP, RPP Robert A. Dragicevic, MCIP, RPP Senior Principals

Martha Coffey

Legal Non-compliant Status

A review of the Official Plan policies has determined that all but five (5) of Suncor's twenty-three (23) sites are proposed to be placed into a land use designation that does not permit gas stations or drive-through facilities, or other policies regulating the establishment of gas station facilities in the City of Vaughan. Based on our review:

- Nine (9) sites are located in designations that do not permit gas stations;
- Seven (7) are located on intersections where another gas station is located (which is proposed to be prohibited by Sections 9.2.2.4b, 9.2.2.6b., 9.2.2.7b., and 9.2.2.10b);
- Ten (10) are located at the intersection of two (2) arterial roads as shown on Schedule 9 of the Official Plan (which is proposed to be prohibited by Sections 9.2.2.4b, 9.2.2.6b, 9.2.2.7b, and 9.2.2.10b); and,
- Eight (8) are located in Intensification Areas that do not permit drivethrough facilities.

These sites are fully reviewed in the following sections of this letter. It should be noted that some Suncor sites would fall into more than one of the categories noted above.

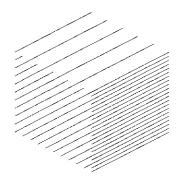
A report from the Committee of the Whole dated July 28, 2010 states that existing gas stations and drive-through facilities will be permitted to remain as 'legal non-compliant' under the new Official Plan. Many of the sites referenced in this letter have received planning approvals permitting the existing land uses reflecting significant investment in these properties. Suncor is concerned that this effort and investment will be jeopardized as a result rendering them legal non-compliant through the approval of the policies related to gas stations and drive-through facilities currently outlined in the Official Plan for the City of Vaughan.

Legal non-compliant status poses a significant burden to owners in terms of limitations placed on financing and replacement. Suncor requests that the Vaughan Official Plan reflect the planning approvals previously granted in regard to the sites in the enclosed chart.

Land Designations that do not permit Gas Stations

Our review of the City of Vaughan Official Plan determined that nine (9) sites are located in designations that do not permit gas stations. These sites are as follows:

- 11600 Keele Street (site 1)
- 1867 Major MacKenzie Drive (site 3)
- 2651 Rutherford Road (site 7)
- 1081 Rutherford Road (site 9)



- 8727 Dufferin Street (site 10)
- 120 Macintosh Boulevard (site 18)*
- 1487 Centre Street (site 19)*
- 7738 Yonge Stree (site 21)*
- 7400 Bathurst Street (site 23)*

The four (4) sites marked with an asterisk (*) were previously located in a land use designation that permitted gas stations. The sites located at 1867 Major MacKenzie Road, 1081 Rutherford Road, 8727 Dufferin Street, 120 Macintosh Boulevard were granted site specific zoning by-law amendments to permit gas stations, which are to remain in effect.

We request that these sites be accommodated in designations that permit automobile gas bars and their accessory uses such as car washes, convenience retail, and convenience eating establishments with drive-through facilities or alternatively, be recognized as permitted uses by site-specific policy exceptions.

Sites located at Intersections with more than one Gas Station

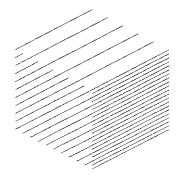
There are seven (7) sites that are located at intersections with other automobile gas bars, contrary to the policies of Sections 9.2.2.4b, 9.2.2.6b., 9.2.2.7b., and 9.2.2.10b governing land use in the Mid-Rise Mixed Use, High-Rise Mixed Use, Commercial Mixed Use and Prestige Employment Designations. Within the permitted uses for each designation appears the following policy concerning gas stations (emphasis added):

Gas stations, subject to the following criteria:

- A. The use is located on an arterial street as indicated on Schedule 9:
- B. The use is limited to one gas station per intersection; and,
- C. No gas stations shall be permitted at the intersection of two arterial streets as indicated on Schedule 9

The seven sites where gas station uses would not conform to the use as permitted in accordance with to the provisions of sub-section B are as follows:

- 8480 Highway 27 (site 5);
- 2651 Rutherford Road (site 7);
- 5241 Highway 7 (site 11);
- 5260 Highway 7 (site 12);
- 3733 Highway 7 (site 15);
- 1514 Steeles Avenue West (site 17); and,
- 7011 Bathurst Street (site 22)



As outlined in CPPI's submissions, such restrictions cause safety and traffic concerns at busy intersections where drivers have limited access into automobile gas bars due to turn restrictions to right-in/out movements. Therefore, stations located on opposite corners serve different traffic patterns.

We would propose that this policy restriction apply only to new gas station sites developed after the date of approval of the Vaughan Official Plan. This would eliminate the resultant impact on Suncor's existing properties where the proposed policy would render these locations as legal non-compliant under the new Vaughan Official Plan.

Sites located at the Intersection of Two Arterial Roads

There are ten (10) Petro-Canada stations located at the intersections of two (2) arterial roads contrary to the policies of Sections 9.2.2.4b, 9.2.2.6b., 9.2.2.7b., and 9.2.2.10b governing land use in the Mid-Rise Mixed Use, High-Rise Mixed Use, Commercial Mixed Use and Prestige Employment Designations. Within the permitted uses for each designation appears the following policy concerning gas stations (emphasis added):

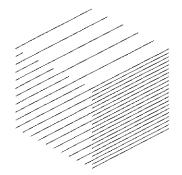
Gas stations, subject to the following criteria:

- A. The use is located on an arterial street as indicated on Schedule 9;
- B. The use is limited to one gas station per intersection; and.
- C. No gas stations shall be permitted at the intersection of two arterial streets as indicated on Schedule 9

The nine sites where gas station uses would not be permitted in accordance with the provisions of sub-section C are as follows:

- 11600 Keele Street (site 1);
- 9301 Highway 50 (site 4);
- 8480 Highway 27 (site 5);
- 3860 Weston Road (site 6);
- 3733 Highway 7 (site 15);
- 2200 Steeles Avenue West (site 16);
- 1514 Steeles Avenue West (site 17);
- 7738 Yonge Street (site 21); and,
- 7011 Bathurst Street (site 22)

In locating at the intersection of two arterial roads, these stations serve the needs of two travel patterns. As indicated in CPPI's submissions, this policy would necessitate gas stations on twice as many intersections in order to meet the needs of the public. Furthermore, locating gas stations at intersections with



only one arterial road increases the likelihood of locating adjacent to sensitive land use designations such as residential areas. There is no rationale provided by the City of Vaughan for this policy.

We would propose that this policy restriction apply only to new gas station sites developed after the date of approval of the Vaughan Official Plan. This would eliminate the resultant impact on Suncor's existing properties where the proposed policy would render these locations as legal non-compliant under the new Vaughan Official Plan.

Sites located in Intensification Areas

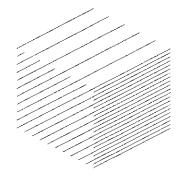
There are eight (8) Suncor sites with drive-through facilities located in Intensification Areas where Section 5.2.3.7 of the proposed Official Plan prohibits drive-through facilities. In regard to the locating of automobile gas bars in Intensification Areas the Vaughan Official Plan states:

5.2.3.7 Drive-throughs [sic] facilities are a complement to general retail activity and shall only be located such that the use does not adversely affect the goals of intensification, pedestrianization, attractive streetscapes, transit supportiveness, or have an adverse impact on residential neighbourhoods. In addition to and in recognition of Intensification Areas and Heritage Conservation Districts, which are already subject to a prohibition of drive-through facilities, it is intended that the prohibition shall also pertain to all Intensification Areas except Primary Intensification Corridors that are not Regional Corridors as identified on Schedule 1.

The sites located in areas where drive-through facilities are prohibited by the proposed designations in the Vaughan Official Plan are as follows:

- Major MacKenzie and Starling Boulevard (site 2);
- 5241 Highway 7 (site 11);
- 5260 Highway 7 (site 12);
- 1000 Rowntree Dairy Road (site 14);
- 3733 Highway 7 (site 15);
- 1487 Dufferin Street (site 19);
- 7092 Yonge Street (site 20); and,
- 7738 Yonge Street (site 21);

As outlined in CPPI's submission, drive-through facilities provide a number of benefits to urban areas including small building envelopes due to a reduced need for seating and reduced parking requirements. As a result, less space is devoted to paved areas thus creating a more visually appealing streetscape and contributes to the achievement of the goals outlined in the section above. We request a review of this policy for which there is no rationale provided and



suggest policies promoting the innovative design and construction of drivethrough facilities that continue to promote and support the goals outlined above.

We suggest that this policy apply only to new gas station applications that include drive through facilities. We would also suggest that the addition of drive through facilities on sites that have uses where the addition of a drive through would be appropriate, such as gas stations be permitted to add a drive through at a later date.

Additional Information

In support of this submission, please find enclosed one copy of our Vaughan Official Plan review spreadsheet. We trust this information provided is sufficient to allow for your review of the proposed Vaughan Official Plan and its potential impacts as it relates to Suncor's sites throughout the City.

We would welcome the opportunity to meet with Regional staff to discuss our concerns and comments contained in this letter.

Should you have any questions or require additional information please do not hesitate to contact the undersigned.

Yours very truly,

WALKER, NOTT, DRAGICEVIC ASSOCIATES LIMITED

Planning · Urban Design

Wendy Nott, FCIP, RPP Senior Principal

Enc.

cc. Vincent Serratore, Suncor Energy Products Inc. Paul Park, Suncor Energy Products Inc.

BARRISTERS AND SOLICITORS

Quinto M. Annibale Direct Line: 416-748-4757 E-mail: qannibale@loonix.com

Tuesday June 6, 2011

By E-Mail

The Regional Municipality of York 17250 Yonge Street, Newmarket, Ontario, L3Y 6Z1

ATTENTION: REGIONAL CHAIRMAN AND MEMBERS OF REGIONAL COUNCIL

Dear Regional Chairman and Members of Regional Council,

RE: Proposed City of Vaughan Official Plan MCN (Pine Valley) Inc.

I am the solicitor for MCN (Pine Valley) Inc. ("MCN"), owner of a 64 hectare property located on the east side of Pine Valley Road, south of King-Vaughan Road, municipality known as 12011 Pine Valley Road ("Subject Property").

MCN has been actively involved in the City of Vaughan ("Vaughan") Official Plan process, attending at Council, Committee, and Public meetings. MCN has made a submission to Vaughan City Council regarding the proposed Vaughan Official Plan ("Proposed OP") for consideration.

MCN has reviewed the Proposed OP as it applies to the Subject Property and objects to it in its entirety. For greater clarity, my client objects particularly to the proposed "Enhancement Areas" designation as shown crossing the front (west) portion of the Subject Property on Schedule 2 – Natural Heritage Network. Our reasons for the objection are as follows.

It is our view that there is no statutory or policy basis that would permit the designation of the subject property as an Enhancement Area. Further, no supporting information has been provided as to how an "Enhancement Area" on the subject property is justifiable with respect to providing any Natural Heritage Linkage or achieving any other environmental. The area to the





north of the Subject Property is characterized by developed residential lots along the east side of Pine Valley Drive and along the south side of King Vaughan Road. As such, the area does not lend itself to achieving Natural Heritage Linkages or a reduction in fragmentation of vegetation units and habitat patches.

It is our view that Enhancement Area is an inappropriate and unnecessary designation for the Subject Property and that it would be more appropriately located within the large Greenbelt Plan Area designation to the east of the Subject Property. Since the Greenbelt Plan Area is separated from public Streets, is central to the block, and includes "Core Features" designations, it is more appropriate for providing Natural Heritage Linkages and achieving the overall environmental objectives relating to reducing fragmentation. To be clear however, my client objects to the entire plan.

On behalf of my clients, I kindly request notice of any future events, meetings and statutory meetings, and to request copies of any reports, comments, or other submissions made either to the Region of York or by the Region of York or its staff which deal with the Proposed OP whether or not they deal with matters being considered under section 17 of the Planning Act. I would also request that we be provided with any notice of decision with respect to the Proposed Vaughan Official Plan.

I thank you in advance for your cooperation. Should you have any questions with respect to the foregoing, please do not hesitate to contact the undersigned.

Yours truly,

LOOPSTRA NIXON LLP

Per:

Quinto-M. Annibale

QMA/scf



L4K 3P3 T. 905.669.4055 F. 905.669.0097 klmplanning.com

File: P-1710

May 26, 2011

Regional Municipality of York Corporate Services Department 17250 Yonge Street, 4th Floor Newmarket, Ontario, L3Y 6Z1

Attention:

Mr. Denis Kelly,

Regional Clerk

Re:

City of Vaughan Official Plan 2010 Notice of Adoption – By-law 235-2010 9909 and 9939 Pine Valley Drive

1668872 Ontario Inc. (Capo Di Monte)



Dear Sir:

KLM Planning Partners Inc. represents 1668872 Ontario Inc. (Capo DiMonte) whose lands are located on the east side of Pine Valley Drive, approximately 250 metres south of Major MacKenzie Drive, being 9909 and 9939 Pine Valley Drive. The lands have an area of approximately 5 ha. including a portion the adjoining woodlot.

The tableland portion of these lands is the subject of current ongoing Official Plan Amendment and Zoning By-law Amendment applications (OP.06.002 & Z.06.005) to permit an adult lifestyle residential development having a maximum height of 6 storeys, with approximately 98 units.

The proposed City of Vaughan Official Plan would designate the developable portion of the lands as "Low Rise Residential", which does not support the proposed development for an adult lifestyle residential development. We submitted a letter to the City of Vaughan on June 7, 2010 respecting the proposed designation, and with respect to a "Utilities and Infrastructure" designation which applied to a portion of the lands. The City removed the "Utilities and Infrastructure" designation, however recommended that no change be made to the proposed "Low Rise Residential" designation. We continue to have concern with the proposed designation of the subject lands.

In accordance with the Notice of Adoption issued on September 22, 2010 from the City of Vaughan with respect to the new City of Vaughan Official Plan, we hereby request notice of the

proposed decision. Additionally, please advise me of the date when the City of Vaughan Official Plan will be considered by Regional Council.

Please do not hesitate to contact the undersigned should you have any questions or comments.

I look forward to hearing from you in the near future.

Yours very truly,

KLM PLANNING PARTNERS INC.

James M. Kennedy, MCIP, RPP

President

JMK:rml

c: Mr. Bryan Tuckey, Planning and Development Services Commissioner

Ms. Heather Konefat - Director Community Planning Branch

Mr. Augustine Ko, Senior Planner

Mr. John Zipay - Acting Commissioner of Planning, city of Vaughan

Mr. Frank Carogioello – Royal Pine Homes



Engineers Planners Project Managers

EMC File No.: 206199-PL

May 24, 2011

Via Email bryan.tuckey@york.ca and Mail

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

Attention:

Bryan Tuckey, MCIP, RPP

Commissioner, Planning and Development Services

Dear Sir:

Re:

'Adopted' City of Vaughan Official Plan (2010)

Anland Group Inc. 3687 Islington Avenue

Part of Lot 4, Registrar's Compiled Plan 9831

(north-west quadrant of Islington Avenue North and Highway 407)

Community of Woodbridge, City of Vaughan

Regional Municipality of York

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

Background

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

Land Use Designation 'Modification' Request

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

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

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

Planning Justification and Rationale

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

1. "High-Rise Residential" Designation

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

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

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

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



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

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

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

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

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

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

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

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



File No.: 206199 York Planning May 24, 2011 Page 4

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

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

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

Yours truly,

EMC GROUP LIMITED

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

attchs.

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

Z:\206199\206199 YR PlgDept VOP Ltr May2411.doc







EMC File No.: 204101-PL

October 12, 2010



Via Fax 1-905-895-3031

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

Attention:

Denis Kelly

Regional Clerk

Dear Sir:

Re:

Official Plan for the City of Vaughan (2010)

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

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

Yours truly,

EMC GROUP LIMITED

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

Senior Planner

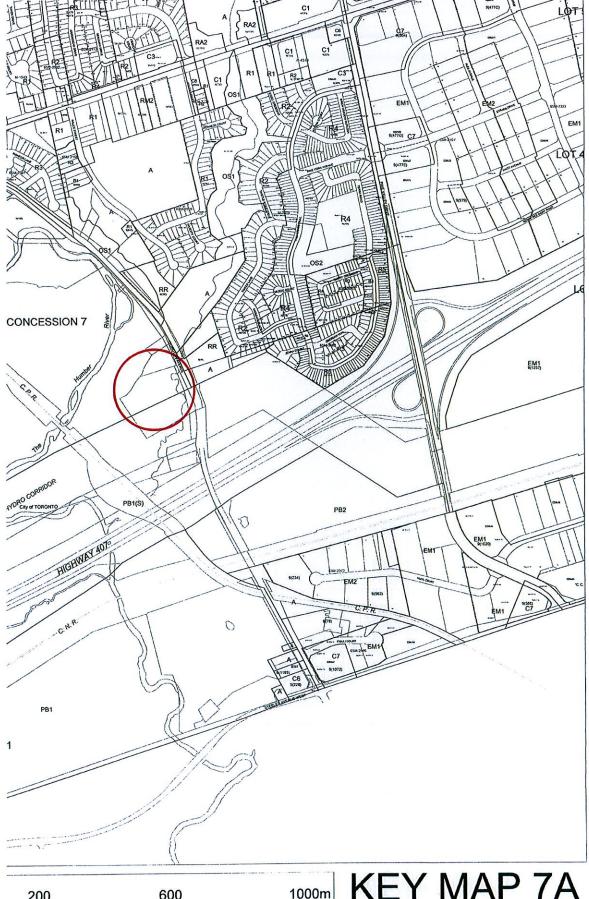
c.c.

York Region Planning & Development Services (Fax #1-905-895-3482)

Jeffrey A. Abrams, Vaughan City Clerk (Fax #905-832-8535)

Diana Birchall / Mauro Peverini, Vaughan Policy Planning (Fax #905-832-8545)

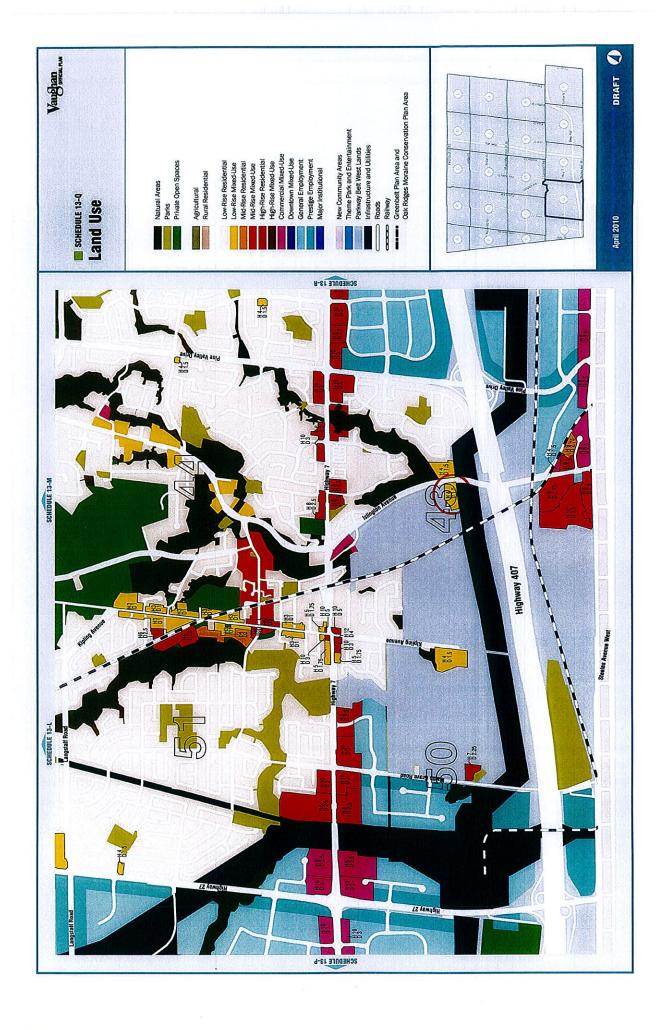
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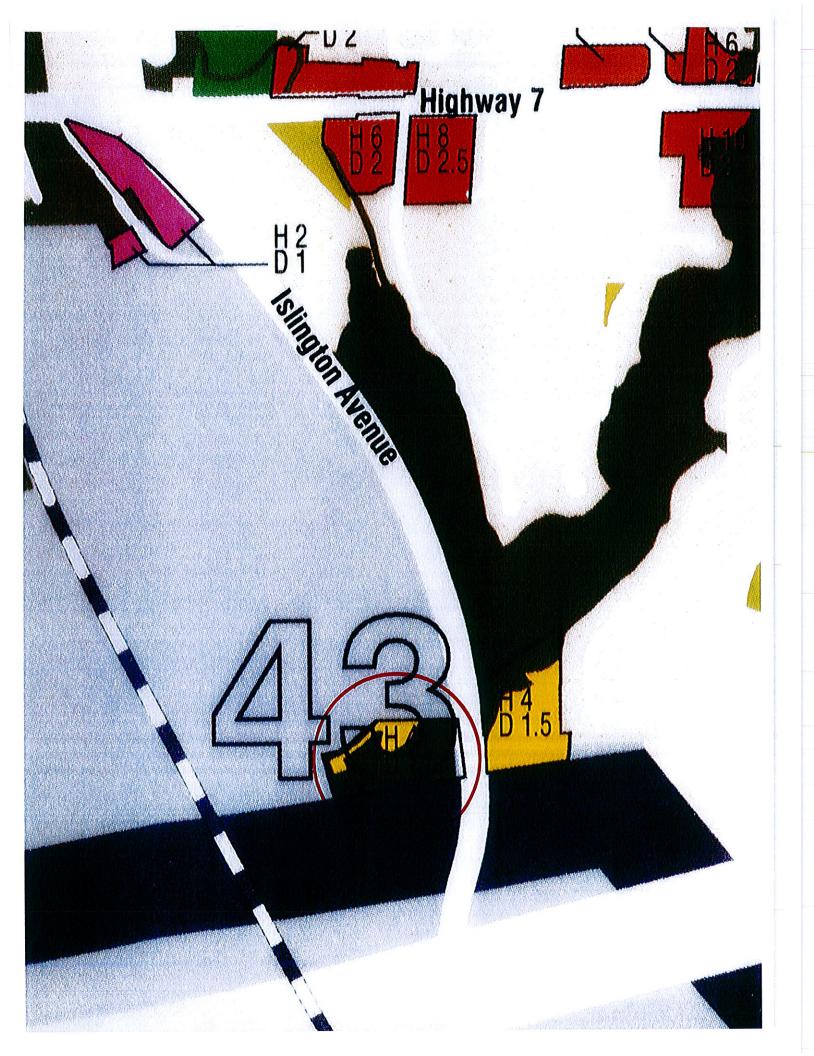
KEY MAP 7A TO BYLAW 1-88

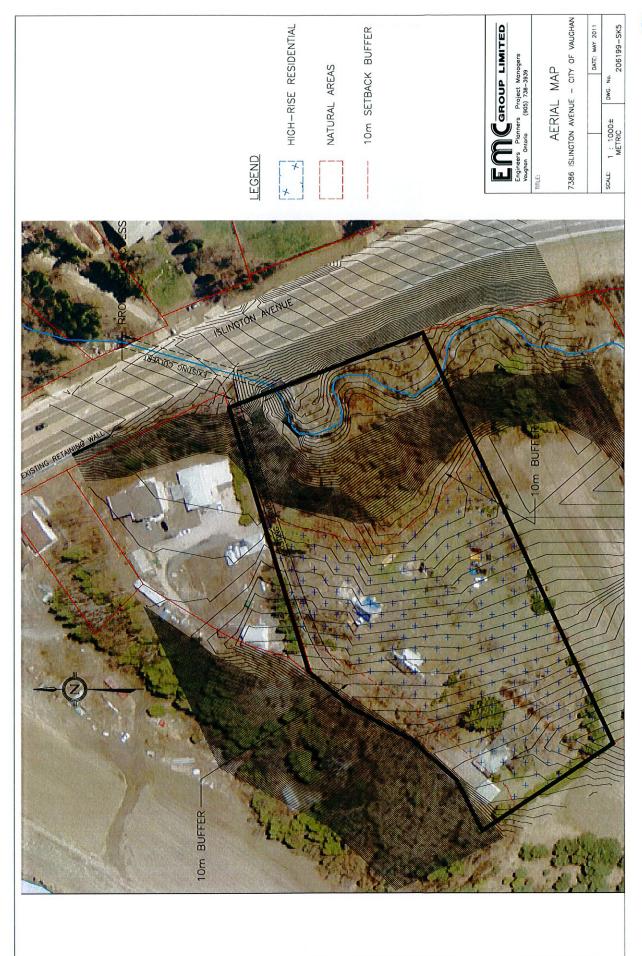
REVISED JUNE 2006



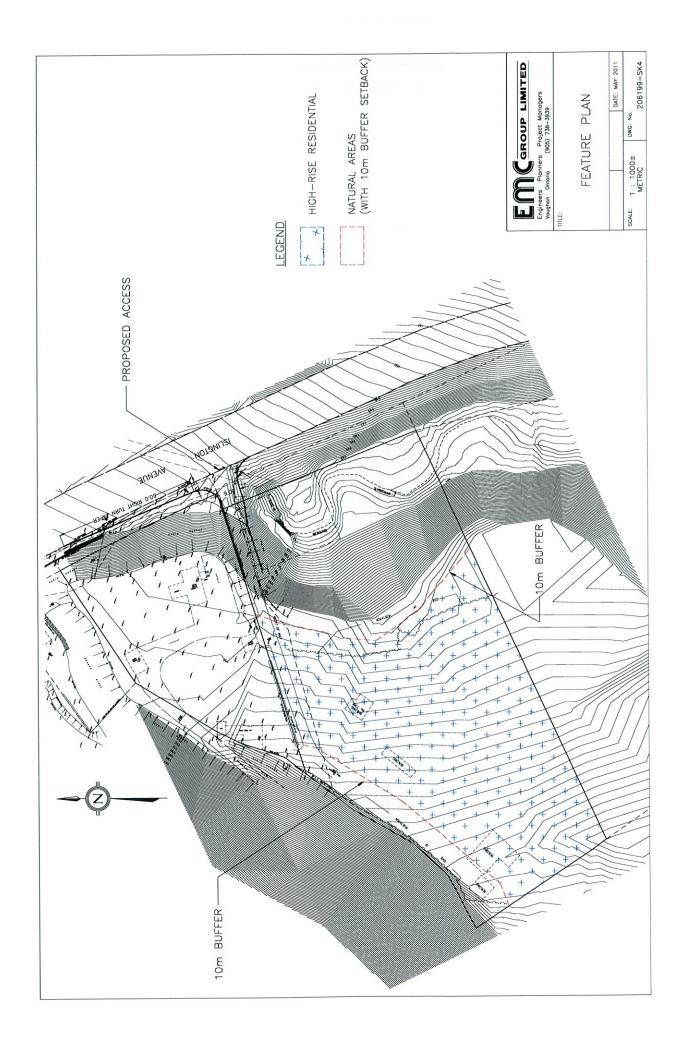


















File: P-1631

L4K 3P3 T. 905.669.4055 F. 905.669.0097 klmplanning.com

April 4, 2011

Regional Municipality of York Corporate Services Department 17250 Yonge Street, 4th Floor Newmarket, Ontario. L3Y 6Z1

Attention:

Mr. Denis Kelly, **Regional Clerk**

Re:

City of Vaughan Official Plan 2010 Notice of Adoption - By-law 235-2010

York Major Holdings Inc.

Dear Sir:

KLM Planning Partners Inc. represents York Major Holdings Inc. which owns lands at the northwest corner of Dufferin Street and Major MacKenzie Drive including Eagles Nest Golf Course.

In accordance with the Notice of Adoption issued on September 22, 2010 from the City of Vaughan with respect to the new City of Vaughan Official Plan, we hereby request notice of the proposed decision. Additionally, please advise me of the date when the City of Vaughan Official Plan will be considered by Regional Council.

At this time, we request a modification to the new City of Vaughan Official Plan with respect to the adopted land use designations, specifically with regard to the lands north of Hill Street, east of the Maple Go Station Commuter Parking Lot, south of McNaughton Road and west of the Walmart currently under construction. This parcel of land is approximately 8.14 Hectares (20.13 acres) in size and described as Blocks 1, 2, 3 and 6 on Registered Plan 65M-4061.

These lands are currently designated "Prestige Area" by the City of Vaughan OPA #332, as amended by OPA #535 and are currently zoned M1 - Restricted Industrial Zone by Zoning Bylaw 1-88, subject to exception 9(1097). The current designation and zoning would only allow industrial uses to occur on the subject lands, with additional limited retail uses up to a maximum of 25,000m².

The lands are proposed to be designated "Commercial Mixed-Use" under policy 9.2.1 of the new City of Vaughan Official Plan with a maximum height of 4 stories and a density of 1.5 FSI (Floor Space Index), which permits a range of commercial and office uses. The lands are also subject to Section 12.3 – "Area Specific Policies, Keele Valley Landfill Area" in Volume 2 of the Official Plan, which further restricts the type of uses and amount of retail permitted on the subject lands.

Given the proximity of this site to the existing Maple GO Transit Station, and the proposed transit improvements along this line and throughout York Region, the proposed land use designation would result in an underutilization of these lands for transit oriented, and pedestrian friendly densities contemplated in Section 4.2.2 of the City of Vaughan Official Plan. Additionally the southerly limit of the lands are identified as a Intensification Corridor, and accordingly development should be focused to support the existing and planned infrastructure in the local Maple area including the existing GO Transit station and line.

It is our opinion that a mix of "Mid-Rise Mixed Use" and a "Low Rise Mixed Use" designations on the site would be a more appropriate land use to support the existing and planned transit infrastructure and to support the existing and potential employment and retail uses adjacent to the site and within the Maple Core area. These designations would encourage more intensive residential and retail densities in close proximity to the Maple GO Station to support and better utilize the existing transit service and would allow for a greater mix of residential housing types to support the proposed intensification around the GO Station.

Furthermore, the "Where and How to Grow Plan" prepared by Urban Strategies Inc. and released in June 2009 was a document which was prepared to provide direction to the ongoing preparation of Vaughan's new Official Plan. This document concluded that the Maple GO Area (lands adjacent to the Maple GO Station) was an appropriate area for intensification and which could accommodate up to 3,437 new residents to support the existing and planned transit infrastructure. The proposed mixed-use commercial land use designation will not provide the level intensification required to better utilize the existing transit infrastructure. This forms the initial basis for our request to redesignate the lands to a more appropriate mixed used designation as noted above.

We would appreciate an opportunity to meet with you and your staff to discuss our request and to provide more information with respect to the requested modification to the City of Vaughan Official Plan 2010.

Please do not hesitate to contact the undersigned or Ryan Mino-Leahan at ext. 224 should you have any questions or comments with respect to our request.

I look forward to hearing from you in the near future.

Yours very truly,

KLM PLANNING PARTNERS INC.

James M. Kennedy, MCIP, RPP

President

JMK:rml

c: Mr. Bryan Tuckey, Planning and Development Services Commissioner

Ms. Heather Konefat – Director Community Planning Branch

Mr. Augustine Ko, Senior Planner

Mr. Duane Aubie – York Major Holdings Inc.

SHERMAN · BROWN DRYER · KAROL

March 24, 2011

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

Attention: Mr. Jeffrey A. Abrams, City Clerk

Dear Mayor and Members of Council:

Re: Applications for an Official Plan and Zoning By-law Amendment pursuant to Sections 22(1) and 34(1) of the <u>Planning Act</u> in respect of the properties municipally known as 165, 170, 180, 182, 201, and 229 PINE GROVE ROAD (the "Site) in the City of Vaughan

We are the solicitors for 165 Pine Grove Investments Inc., the owner of the above-referenced Site which is located in the area east of Islington Avenue and south of Langstaff Road in the area known as "Woodbridge" in the City of Vaughan. The Site is approximately 8.44 acres in size, which Site is comprised of the properties located on the both the north and south/east side of Pine Grove Road, which road runs in both a north/south and east direction intersecting with Islington Avenue at its southern end. The Site is bounded by an open space area along its north and eastern boundary, with mid-rise residential uses to the south, and a mid-rise residential seniors facility known as the "Pine Grove Lodge" located on the west side of Pine Grove Road, which facility fronts onto Islington Avenue.

The portion of the Site located on the north side of Pine Grove Road is designated as a "Low Density Residential" area in the City of Vaughan Official Plan ("OPA 597"), with the remainder of the lands designated "Industrial". The lands which were designated as "Industrial" were occupied by the former Hayhoe Mills Ltd. Flour Mill which ceased operation in May of 2009 and an adjacent residential dwelling. The recently adopted Official Plan for the City of Vaughan, which policies are contained within the "Woodbridge Centre Secondary Plan" (the "New Official Plan") proposes to re-designate those portions of the Site which were formerly "Industrial" to "Commercial Mixed-Use (1)", with the remainder of the Site designated as either "Parks" and/or "Low-Rise

Residential". Those portions of the Site designated as "Parks" fall within the "Special Policy Area" of the Provincial Flood Plain Planning Policy.

The Site is the subject of a number of different zoning categories, which zoning reflects, among other things, the pre-existing industrial uses, which uses are less compatible with the existing surrounding uses than our client's proposal, which historical zoning has not been amended to reflect both the new official plan policies, nor does it reflect the now existing uses in the immediate surrounding area. The existing zoning is as follows:

- 165 Pine Grove Road is zoned "OS1-Open Space Conservation Zone [Exception 9(396)]";
- 170 Pine Grove Road is zoned "OS1-Open Space Conservation Zone [Exception 9(38)]";
- 180 Pine Grove Road is zoned "A-Agricultural Zone" and "OS1- Open Space Conservation Zone":
- 192 Pine Grove Road is zoned "R3 Residential Zone";
- 210 Pine Grove Road is zoned "EM1- Prestige Employment Area Zone [Exception 9(98)]";
- 229 Pine Grove Road is zoned "R2-Residential Zone" and "OS1-Open Space Conservation Zone".

Prior to our client's acquisition of the Site, the prior owner and its consultants had requested that the City of Vaughan recognize the surrounding residential uses, and in particular, had requested that Town Staff and Council consider recommending that the entire Site be redesignated for "High Density Residential" uses.

With the New Official Plan having yet to receive final approval by the Region of York, our client pursued the acquisition of the Site after conducting an exhaustive investigation as to its development potential, which investigation included extensive discussions with City and Regional Staff, including Staff from the Conservation Authority, all of which have lead to the final acquisition of the Site and the submission of the within application to redevelop the Site with a modest stacked townhouse development.

Our client proposes to redesignate those portions of the lands designated as "Commercial Mixed Use" and "Low-Rise Residential", to a site specific "Low-Rise Residential" designation which would recognize the proposed stacked townhouse form being proposed by our client. A small portion of the remainder of the Site which is designated as "Parks" would be redesignated in the same manner as noted above, with the remainder of such lands maintaining the "Parks" designation proposed within the New Official Plan.

The stacked townhouse design is one which is both modest in scale and density (at an FSI of only 0.36), which design is also sensitive to the surrounding open space uses, and which design takes advantage of a unique natural landscaped setting which provides wonderful views and vistas towards the Humber River Valley. It is a design that respects the specific site constraints which demand that the built form envelopes be situated on the most westerly boundary of both the north and south parcels of the subject Site, which

design ensures that the existing floodplain is unaffected, and in fact, enhanced by the proposed dedication of a portion of the Site as a public open space area. Vehicular access to the Site is by way of two private driveways running north and south off of Pine Grove Road. Parking for residents is below grade, with at-grade parking for visitors to the Site.

The townhouse blocks are separated into five separate parcels (Blocks A through E), with each parcel providing an attractive street façade along both the internal driveways, Pine Grove Road, with well defined walkways providing easy pedestrian access to the front door of each residential unit. While a detailed urban design brief is enclosed herewith, it should be noted that the quality of the materials, the modest scale at only 3 ½ storeys, the inclusion of mansard roof elements with elliptical dormer windows enhance the quality of the development and highlight the elegant and high quality design proposed by our client and their consultants. The design includes a significant improvement to the landscaping element of the Site, which improvements are highlighted by the proposed planting of 196 new trees.

The Site is well served by municipal water and wastewater services, it is a Site which is well served by community services, which Site is within convenient walking distance to transit services, which have access to higher order transit services planned for Highway 7, which Site is located one street to the east of a designated "Regional Arterial Road" with a 36 metre right-of-way. While the enclosed submission provides a detailed planning report outlining the applicable Provincial and Regional policies, it is respectfully submitted that the enclosed submission, and the proposed design, implement the vision of the "Provincial Policy Statement", the "Places to Growth: Growth Plan for the Greater Golden Horsehoe (2006)", and the "York Region Official Plan", as modified.

While the vacant mill has been a long-standing employment use in the surrounding area, our client's heritage consultant has confirmed that there is no heritage value associated with either the use and/or any of the buildings on Site. Nevertheless, our client is proposing to recognize this long standing use with a commemorative plaque which is proposed to be incorporated within a feature as part of the final proposed design.

In light of the foregoing review, and based upon the extensive reports prepared in support of the within application, we are confident that the proposed development, as submitted, is worthy of City Staff and Council's approval. We look forward to working with City Staff, the local Councillor and the local Community to bring this worthwhile proposal to fruition. We have enclosed herewith the following materials in support of the within applications:

- 1. A copy of the completed application form;
- The requisite application filing fee made payable to the City of Toronto;
- 6 copies of the Aerial Photograph
- 4. 6 copies of the Planning Justification Report
- 5. 3 copies of the Draft Official Plan Amendment
- 6. 3 copies of the Draft Zoning By-law Amendment
- 7. 3 copies of the Survey Plan

- 8. 20 copies of the Concept Plan
- 3 copies of the Reductions of Plans 9.
- 4 copies of the Heritage Impact Assessment 10.
- 20 copies of the Architectural Site Plan 11.
- 1 copies of the Digital Documents (CAD & PDF) 12.
- 6 copies of the Functional Servicing Report 13.
- 6 copies of the Phase I Environmental Impact Report 14.
- 6 copies of the Transportation and Parking Study 15.
- 6 copies of the Geotechnical/Soils Report 16.
- 4 copies of the Site Servicing and Grading Plan 17.
- 3 copies of the Environmental Impact Study 18.
- 4 copies of the Urban Design Brief (guidelines) 19.
- 4 copies of the Landscape Master Plan 20.
- 21. 6 copies of the Elevations
- 6 copies of the Tree Inventory and Preservation Study 22.
- 23. 6 copies of the Cross Sections
- 24. 6 copies of the Context Plan

Should you have any questions or require additional information, please do not hesitate to contact the undersigned or Jessica Smuskowitz, a Student-at-Law in our office.

Yours very truly,

Adam J. Brown

cc: Mr. Paulo Stellato (Cityzen Development Group)

Mr. Peter Nikolakakos (Cityzen Development Group)

Mr. Kurt Franklin, Applicant's Planner (Weston Consulting Group Inc.)

Mr. John Zipay, City of Vaughan Commissioner of Planning

Mr. Bryan Tuckey, Commissioner, Planning & Development Services Department,

York Region

Mr. Augustine Ko, Senior Planner, Planning, Regional Municipality of York

Councillor Tony Carella, Ward 2

Mr. Denis Kelly, Regional Clerk



FACSIMILE TRANSMISSION COVER PAGE

DATE:

March 24, 2011

TO:

Mr. Paulo Stellato (Cityzen Development Group)

Mr. Peter Nikolakakos (Cityzen Development Group) Mr. Kurt Franklin (Weston Consulting Group Inc.)

Mr. John Zipay (City of Vaughan Commissioner of Planning)

Mr. Bryan Tuckey (Commissioner, Planning & Development Services Department, York Region)

Mr. Augustine Ko (Senior Planner, Planning, Regional Municipality of York)

Councillor Tony Carella (Ward 2) Mr. Denis Kelly (Regional Clerk)

FAX NUMBER: (416) 777-0603

(416) 777-0603

(905) 738-6637

(905) 832-8545

(905) 895-3482

(905) 895-3482

(905) 832-8538

(905) 895-3130

Min 2 / 2011 AM:

number of pages (including cover page): 5 pages

FROM: Adam J. Brown

RE: Application for an Official Plan and Zoning By-law Amendment pursuant to Section22(1) and 34(1) of the <u>Planning Act</u> in respect of the properties municipally known as 165, 170, 180, 182, 201 and 229 PINE GROVE ROAD (the "Site") in the City of Vaughan

NOTE: The information contained in this transmission is confidential and intended only for the parties to whom it is addressed. The contents of this transmission are subject to Solicitor-Client privilege and all rights to that privilege are expressly claimed and not waived. If you have received this transmission in error, please notify the writer immediately and return the original transmission to our office.

IF YOU DO NOT RECEIVE FULL TRANSMISSION, PLEASE CONTACT OUR OFFICE AT (416) 222-0344.

Ko, Augustine

From:

Peake, Jessica [jessica.peake@yrdsb.edu.on.ca]

Sent:

March 23, 2011 2:27 PM

To:

roy.mcquillin@vaughan.ca

Cc:

tony.iacobelli@vaughan.ca; Christine Hyde; Ko, Augustine

Subject:

RE: Outstanding Vaughan OP and Secondary Plan Items

Attachments: North Kleinburg-Nashvillle (Focus Area) Draft Secondary Plan_June 2010.pdf; Vaughan Metro Centre Unit Counts.pdf; Vaughan Metropolitan Centre Draft Secondary Plan_June 2010.pdf;

Yonge-Steeles Corridor Draft Secondary Plan_June 2010.pdf

I forgot to include our previous letters to the Town. Please see attachments.

Thank you,

Jessica

From: Peake, Jessica

Sent: Wednesday, March 23, 2011 12:39 PM

To: 'rov.mcquillin@vauqhan.ca'

Cc: 'tony.iacobelli@vaughan.ca'; 'Christine Hyde'; 'Ko, Augustine' Subject: Re: Outstanding Vaughan OP and Secondary Plan Items

Hi Roy, Further to Christine's email, the YRDSB has some questions as well:

North Kleinburg-Nashville SP

- The Board had requested a 7 acre school site in this location. The Board has requested a 7 acre site in Focus Area 2 as the Board will be constructing a 750 pupil place plus school in Focus Area due to the large amount of development proposed and the constraints of locating another school site in the area, as Focus Area 5 & 6 have both the Trans Canada pipeline and a hydro corridor running through the centre of the lands. We want to confirm that our site is 7 acres in size.
 - Will Huntington Road remain a 2 lane road? Our elementary school site is located abutting Huntington Road which is currently a 2 lane road. There are safety concerns when an elementary school is located on major collector or arterial road.
 - 3. Will more residential or other development occur west of Huntington Road in the triangle opposite Focus Area 2?

Yonge Steeles Corridor SP

The School Board had asked that the land use designation for the Uplands Community Learning Centre property located at 8210 Yonge Street be "Mid-Rise Mixed Use" for the entire 4.84 acre parcel. Can you comment?

Vaughan Metro Centre SP

- 1. There are 5 elementary school sites: 3 for the Public Board and 2 for the Catholic Board in the plan. It is noted that some of the school sites are located on vacant land, however, some of the sites are located on the Ikea Building, on the Walmart parking lot and another in a commercial complex housing the AMC Theatre. Can you confirm that these are floating symbols that can be moved anywhere in the plan if required?
 - 2. The Board received a unit count for each precinct from the consultant for the Vaughan Metro Centre. It appears that the units are divided into three distinct areas; Area 1 (north of Hwy 7 and west of Jane Street); Area 2 (south of Hwy 7 and west of Jane Street); and Area 3 (north and south of Hwy 7 and east of Jane Street). There are approximately 8,000 units in each area. The Board would expect to yield approximately 700 students in each area. We had requested: one public elementary school site north of Hwy 7, west of Jane Street; and one public elementary school site south of Hwy 7, west of Jane Street; and one public elementary school site north of Hwy 7, east of Jane Street. The plan has all 5 school sites located west of Jane Street. Again we wanted confirmation that these sites are floating symbols and can be moved if necessary without any objection.

Looking forward to hearing from you.

Thank you,

Jessica

From: Christine Hyde [mailto:Christine.Hyde@ycdsb.ca]

Sent: Friday, March 11, 2011 3:00 PM

To: roy.mcquillin@vaughan.ca

Cc: tony.iacobelli@vaughan.ca; Peake, Jessica

Subject: YCDSB Outstanding Vaughan OP and Secondary Plan Items

Hi Roy,

Earlier this morning I was in a meeting with Tony Iacobelli at the Region to discuss our comments on sustainable design requirements found in the OP's for East Gwillimbury, Richmond Hill and Vaughan. He suggested contacting you with our more Vaughan specific issues.

I have attached our comments that were sent to the Region in December, as there are items outside of the sustainable design requirements that are still outstanding.

These include, among other issues:

Vaughan Metro Centre - potential phasing plan, or trigger for school sites Kleinburg-Nashville Schedule B2 - defining a specific size and configuration of the school site

We look forward to discussing these items with you at your convenience. Thank you,
Christine

Christine Hyde

Planner
York Catholic District School Board
320 Bloomington Road W
Aurora, Ontario
L4G 0M1
(P) 905.713.1211x12360
(F) 905.713.1269
christine.hyde@ycdsb.ca

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York Catholic District School Board

Catholic Education Centre, 320 Bloomington Road West, Aurora, Ontario L4G 3G8
Tel: 905-713-2711, 416-221-5050, 1-800-363-2711, Automated Lines: 905-713-1211, 416-221-5051
Fax 905-713-1272 • www.ycdsb.ca

December 15, 2010

By Email

Augustine Ko Senior Planner York Region 17250 Yonge Street Newmarket, Ontario L3Y 6Z1

Dear Mr. Ko,

RE: Adopted Official Plan and Associated Secondary Plans

City of Vaughan

Thank you for the opportunity to comment on the Official Plan and associated Secondary Plans, which were adopted on September 7, 2010. Our letters to the City of Vaughan (attached) identified a number of concerns, some of which are outstanding.

Official Plan

Policy 9.2.3.8 (b)

The OP states that institutional buildings shall "generally be oriented to front onto a public street and provide direct and safe pedestrian access, separated from parking lots, to any main building entrance".

Policy 9.2.3.8 (c)

The OP further states that "surface parking is discouraged between the front or side of a Public and Private Institutional Buildings and a public street". We do not support these policies as it negatively impacts on school site design and traffic management. We generally design school sites to include front and/or side parking for the following reasons:

- We locate our barrier free (handicapped parking) spaces close to the front door of the building. (for security and student safety reasons we have all visitors enter through the front doors)
- Some "Front" parking minimizes the penetration of cars into school property and provides an opportunity for a pickup and drop off loop, generally reserved for busses.
- The majority of our school sites have a dual frontage. This is intentional to provide opportunities for one loop and parking areas on either frontage separating parent and bus pick up and drop off. Given the policy in subsection b requiring buildings to front onto the street, these policies restrict parking at both frontages and seriously impact the configuration of our sites, potentially requiring a larger school site.
- In reviewing our sites with the principles of CPTED (Crime Prevention Through

Environmental Design), creating a non-supervised area accessible by vehicles runs contrary to those principles.

Policy 9.2.3.8 (d)

The OP states that "the rooftop of all public and private institutional buildings shall include landscaped greenspace, private outdoor amenity space or environmental features such as solar panels." School boards have always embraced achieving energy efficient designs and incorporate green technologies within our allotted funding; however we do not support a requirement for specific design or green technologies as they may increase costs above funding, which may jeopardize the approval of a new school. We suggest that the policy should be changed from "shall include" to <u>are encouraged to include</u> recognizing our commitment to working with the Ministry to fund such initiatives.

Vaughan Metropolitan Centre Secondary Plan

Recognizing the school sites depicted on Schedule F represent a general location, and that specific orientation will be addressed later in the development process the school board requests that some mechanism be introduced into the secondary plan to ensure details regarding size, location, and configuration of school sites are determined prior to development commencing within the community. It is suggested that this mechanism can take place through a phasing plan or requirement to review the provision of all services at milestones in the development approval process (i.e. every 2,000 units approved).

With respect to **Section 7.2.4**, which states that "The School Boards shall be encouraged to develop alternative standards for new schools in high density neighbourhoods."

Please be advised that there are a number of factors and issues that must be addressed in considering a smaller building footprint, such as premiums in construction costs, programming, use of the facility and safety.

Please note that our current site standard breakdown is as follows:

Building Envelope for 2-storey school	.75 acres
Hard Surface Play Area	0.5 acres
Playfield	1.25 acres
Green/ Open space	0.75 acres
Parking/Vehicular Circulation	1.2 acres
Bus Loop	0.45 acres
Municipal Set Backs (10m -12m)	1.0 acres
. ,	5.9 acres

Policy 7.1.1

We suggest the insertion of **configuration** in the following policy wording:

"...the City shall work with the Region of York, the School Boards and other public agencies to assess the need for community facilities and determine or confirm the appropriate location(s), configuration, form and program for required facilities."

Policy 7.1.2

It is our understanding that school boards would not be required to enter into any agreements with landowners.

Policy 7.2.5

We support Policy 7.2.5 with reference to Section 37 of the Planning Act, which is detailed in Policy 8.1.1.2

Policies 5.5.3 and 5.5.4

With respect to the environmental site design requirements outlined in policies 5.5.3 and 5.5.4:

School boards have always embraced achieving energy efficient designs and incorporate green technologies within our allotted funding from the Provincial Government; however we would not support a requirement for specific design or green technologies as they may increase costs above funding, which may jeopardize Ministry of Education approval of a new school.

We ask that similar to Section 5.5.2, that school boards be excluded from these requirements and that the policy wording be amended to specify "...institutions, with the exception of schools, ...".

Policy 8.7.1 (d)

This policy states that "Surface parking in the South and Neighbourhood Precincts, where appropriate, shall be located in the interior of a development block, accessed from a rear laneway and screened by buildings....Off-street surface parking shall not be located between the building and the street."

The Board requests that some parking between the building frontage and the street be permitted for the elementary school in the South and Neighbourhood Precincts, due to design issues as identified above in response to Policy 9.2.3.8.

Kleinburg-Nashville Secondary Plan

Two school sites are identified on Schedule B2 of the Kleinburg-Nashville Secondary Plan. We look forward to an opportunity to determine their specific size and configuration.

According to Policy 4.12 (c), "The City, in consultation with the School Boards, will promote efficient, urban school site sizes, minimize overall school site footprints, and maximize the area available for on-site recreational and athletic use through the construction of multiple storey buildings that permit smaller building floor plates."

This policy is similar to section 7.2.4 of the Vaughan Metropolitan Centre Secondary Plan, please refer to the comments above regarding current site standards.

We look forward to working with the Region in the development of a final document and are available for any questions or clarification you may require.

If you require further information, I can be contacted directly at 905.713.1211, ext. 12360.

Sincerely,

Christine Hyde

Planner

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c.c Jessica Peake, YRDSB

EDUCATION CENTRE - AURORA



60 Wellington Street West Box 40, Aurora, Ontorio L4G 3H2 Tel: 905.727.3141 905.895.7216 905.722.3201 416.969.8131

Fax: 905.727.1931 Website: www.yrdsb.edu.on.co

June 24, 2010

By Email

Mr. Ted Radiak CITY OF VAUGHAN 2141 Major Mackenzie Drive Vaughan, Ontario L6A 1T1

Dear Mr. Radlak:

Draft North Kleinburg-Nashville (Focus Area) Secondary Plan Re:

Board Staff have reviewed the draft Official Plan and has the following comments:

The School Board will require 1 Elementary School Site in Focus Area 2, 7 Acres in Size.

The final location and configuration of the school site shall meet the **Board's Elementary School** Site Requirements which are as follows:

- Flat site and rectangular configuration to maximize the programmable space.
- Located on a straight segment (no curve) of a minor collector with at least one frontage.
- One frontage must be 140 meters.
- Centrally located within the residential community to maximize walkability.
- Campus with a municipal park to provide shared use opportunities.
- Three driveway accesses for school traffic.
- Road network opposite the school frontage should line-up with the location of the school driveways.
- When considering safety issues, neighbouring uses such as arterial and major collector roads, woodlots, storm water management ponds and commercial uses, should be avoided.

School Site Location (Schedule B2 Land Use):

The elementary school site is located abutting Huntington Road which is currently a 2 lane road. The Board will only support this school site designation if Huntington Road remains a 2 lane road. The Board does not locate elementary schools on major collector or arterial roads for student safety reasons.

2. LEED Certified or Other Green Building Technology (Part A - Section 8.3 and 8.4):

The School Board supports sustainable design and operation of our schools. The Board has incorporated the following Green Initiatives in our schools: making schools more sustainable, providing better efficiency in the use of water, improved energy systems, selection of materials and resources, improved indoor environmental quality, innovation and design, and pilot programs which the Board has applied to provide.

However, the Board's funding for new schools is allocated by the Ministry. The allocation for each project is fixed. LEED Certification will exceed the Ministry benchmark. The Board will not be able to build schools which exceed this benchmark.

3. Elementary Schools (Part B - Section 4.12 c):

The Board has requested a 7 acre site in Focus Area 2. The Board will be constructing a 750 pupil place plus school in Focus Area due to the large amount of development proposed and the constraints of locating another school site in the area, as Focus Area 5 & 6 have both the Trans Canada pipeline and a hydro corridor running through the centre of the lands.

The Board's current prototype for an elementary school is a 2-storey building which requires approximately 1 acre for the building envelope. In addition to the building, 1 acre is required for the paved play space, 2.5 acres is required greenspace play area, 1.5 acres is required the bus loop and parking. Much of this land area is necessary to meet municipal site plan requirements related to parking and on-site circulation.

The Board has a concern with reducing the building floor print as it will require a specialized design which has proven to be less effective as it negatively impacts programming / curriculum planning.

4. First Right of Refusal (Part B - Section 4.12 d) iii):

The School Board is governed by Provincial legislation. If land is owned by the Board and is declared surplus by the Board, under the legislation the coterminous school board would be given the first opportunity to acquire the land.

If the Board has a site designation or option to purchase, it is Board Policy to offer it to the coterminous Board first.

5. Parking Requirements (Part B - Section 5.4 c):

Parking Structures

As discussed in a previous section, the Board's funding for new schools is allocated by the Ministry. The allocation for each project is fixed. Above ground or underground parking structures will exceed the Ministry benchmark. The Board will not be able to build schools which exceed this benchmark.

Parking In Front of Principal Buildings

The Board requires that some parking between the building frontage and the street be permitted to accommodate handicap and visitor parking.

The Board has not designed parking at the back of our schools for several reasons:

- a. Barrier Free parking is required close to the front entrance.
- b. It is essential to minimize the penetration of cars and busses into the school site for student safety; therefore, students are dropped off at the front or side of the school.
- c. Schools that contain child care centres may have special requirements for parking and pick-up and drop-off of students at the front of schools.
- d. We try to preserve as much space at the rear of schools for student play areas, as well as maximizing green space, particularly where a school site is campused with a neighbourhood park.
- e. In reviewing our sites with the principles of CPTED, creating a non-supervised area accessible by vehicles runs contrary to those principles.

If further clarification of further discussion is required, please contact this office.

Yours truly,

Jessica Peake, MCIP, RPP

Land Use Planner

copy: John Zipay, City of Vaughan (by email)

Mauro Peverini, City of Vaughan (by email)

Ron Palmer, The Planning Partnership (by email)

Giovanna DeGirolamo, YCDSB (by email)

EDUCATION CENTRE - AURORA



60 Wellington Street West Box 40, Aurora, Ontaria L4G 3H2 Tel: 905.727.3141 905.895.7216 905.722.3201 416.969.8131

Fax: 905.727.1931 Website: www.yrdsb.edu.on.ca

June 24, 2010

By Email

Ms. Anna Sicília
CITY OF VAUGHAN
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Dear Ms. Sicilia:

Re: Draft Vaughan Metropolitan Centre Secondary Plan

Board Staff have reviewed the draft Official Plan and has the following comments:

- The School Board will require three public elementary school sites within the Vaughan Metropolitan Centre Secondary Plan, City of Vaughan.
- Each site shall be a minimum of 5 acres in size, preferably located adjacent to a municipal park.
- At least one of the 3 sites be located in the first phase of development.
- That the final location and configuration of each school site meet the York Region District School Board elementary school site requirements.

1. School Site Locations (Schedule F - Community Services and Cultural Facilities):

There are 4 elementary school sites for both the Public and Catholic School Boards in the plan. It is noted that 3 of the 4 school sites are located on vacant land, however, one site is located on the Ikea Building. The Board understands from the consultants that the Ikea Building is to remain for a substantial amount of time in their location. The Board requests that this site designation be moved to vacant land.

The Board recently received a unit count for each precinct from the consultant for the Vaughan Metro Centre. It appears that the units are divided into three distinct areas; Area 1 (north of Hwy 7 and west of Jane Street); Area 2 (south of Hwy 7 and west of Jane Street); and Area 3 (north and south of Hwy 7 and east of Jane Street).

There are approximately 8,000 units in each area. The Board would expect to yield approximately 700 students in each area. Therefore, the Board requires: one public elementary school site north of Hwy 7, west of Jane Street; one public elementary school site south of Hwy 7, west of Jane Street; and one public elementary school site north of Hwy 7, east of Jane Street.

In total, the Public and Catholic School Boards require 5 elementary school sites within the plan.

2. Environmental Site Design (LEED) (Section 5.5.3 & Section 5.5.4):

The Board's funding for new schools is allocated by the Ministry. The allocation for each project is fixed. Although the Board supports sustainable design and operation of our schools and has incorporated the following Green Initiatives in our schools: making schools more sustainable, providing better efficiency in the use of water, improved energy systems, selection of materials and resources, improved indoor environmental quality, innovation and design, and pilot programs which the Board has applied to provide.

The Board does not support the "requirements" in Section 5.5.3 and 5.5.4. These requirements will exceed the Ministry benchmark. The Board will not be able to build schools which exceed this benchmark.

This section should either, **exclude school sites**, or have wording that **encourages** school boards to incorporate green building initiatives in buildings, rather than make it a requirement.

3. Parking Requirements (Section 8.7.1 & Section 8.7.2):

Parking In Front of Principal Buildings

The Board requires that some parking between the building frontage and the street be permitted to accommodate handicap and visitor parking.

The Board has not designed parking at the back of our schools for several reasons:

- a. Barrier Free parking is required close to the front entrance.
- b. It is essential to minimize the penetration of cars and busses into the school site for student safety; therefore, students are dropped off at the front or side of the school.
- c. Schools that contain child care centres may have special requirements for parking and pick-up and drop-off of students at the front of schools.
- d. We try to preserve as much space at the rear of schools for student play areas, as well as maximizing green space, particularly where a school site is campused with a neighbourhood park.
- e. In reviewing our sites with the principles of CPTED, creating a non-supervised area accessible by vehicles runs contrary to those principles.

Parking Structures

As discussed in a previous section, the Board's funding for new schools is allocated by the Ministry. The allocation for each project is fixed. Above ground or underground parking structures will exceed the Ministry benchmark. The Board will not be able to build schools which exceed this benchmark.

If further clarification of further discussion is required, please contact this office.

Yours truly.

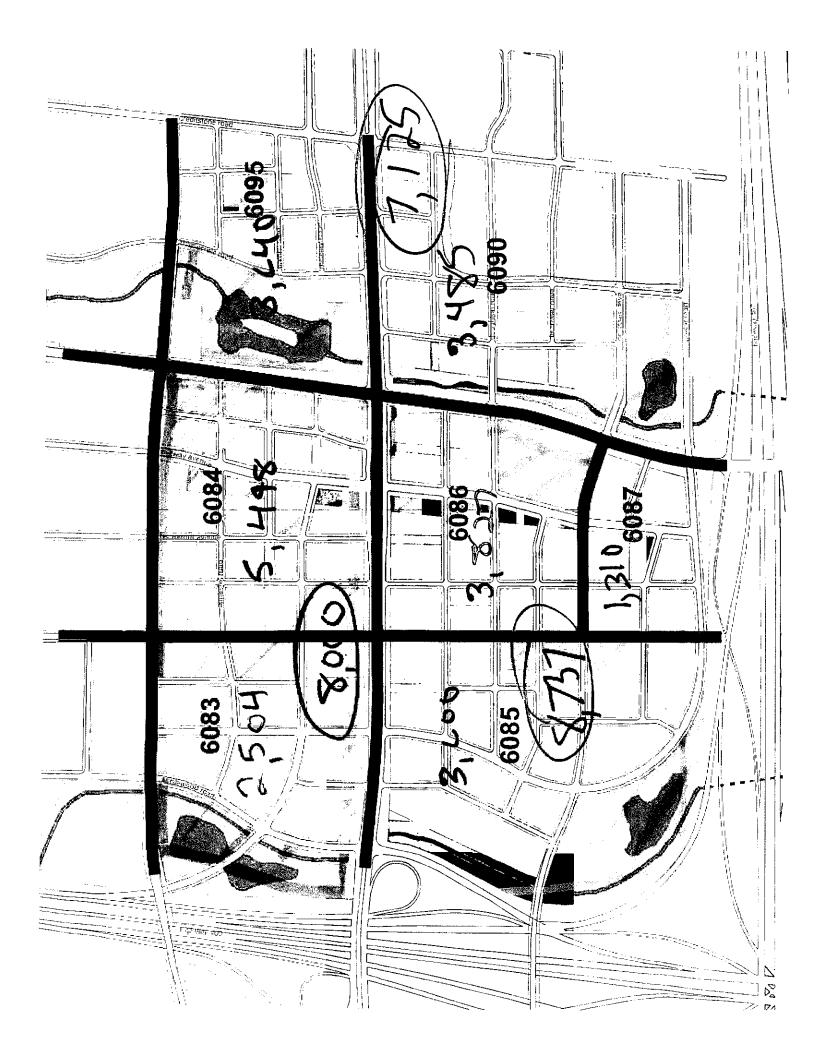
Jessica Peake, MCIP, RPP

Land Use Planner

copy: Mauro Peverini, City of Vaughan (by email)

Tim Smith, Urban Strategies (by email)

Giovanna De Girolamo, YCDSB (by email)



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Fax: 905.727.1931 Website: www.yrdsb.edu.on.ca

June 24, 2010

By Email

Mr. Clement Chong CITY OF VAUGHAN 2141 Major Mackenzie Drive Vaughan, Ontario L6A 1T1

Dear Mr. Chong:

Re: Draft Yonge-Steeles Corridor Secondary Plan

Board Staff have reviewed the draft Official Plan and has the following comments:

- At this time the Board will not require a public elementary school site within the Yonge Steeles Corridor Secondary Plan.
- 2. That the land use designation for the Uplands Community Learning Centre property located at 8210 Yonge Street, is to be "Mid-Rise Mixed Use" for the entire 4.84 acre parcel.

If further clarification of further discussion is required, please contact this office.

Yours truly,

Jessica Peake, MCIP, RPP

Land Use Planner

copy: Mauro Peverini, City of Vaughan (by email) Giovanna DeGirolamo, YCDSB (by email)



DELIVERED VIA EMAIL

Regional Municipality of York
Planning and Development Services
17250 Yonge Street, 4th Floor
Newmarket, Ontario
L3Y 6Z1

Attention:

Mr. Augustine Ko, Senior Planner

Dear Sir,

RE:

Request for Modifications

Adopted City of Vaughan Official Plan

Please be advised, this letter shall serve as a formal request to modify the adopted *City of Vaughan Official Plan* with regards to the northeast quadrant of Jane Street and Rutherford Road ("subject lands").

Background

Through Ontario Municipal Board Order 0982, the subject lands were designated as "High Density Residential/Commercial" as currently shown within the existing City of Vaughan Official Plan.

The subject lands are zoned 'Apartment Residential Zone' (RA3) and 'Restricted Commercial Zone' (C1), as per comprehensive *Zoning By-law 1-88* and subject to Exception 9 (1246).

Further, the subject lands are subject to approved Official Plan Amendment No. 688 ("OPA 626") and Zoning By-law 159-2008 both of which increased the permissible residential density from 200 to 250 units per hectare; together with various other site specific adjustments.

Lastly, the subject lands have been subject to various approved and in effect Minor Variances including A109/07 (Parking Adjustment Tower 3) A248/08 (Parking Adjustment Tower 2) and A045/09 (Height Adjustment Towers 3 & 4).

A copy of *OPA 688*, *Zoning By-law 159-2008* and the aforementioned Minor Variances are included for your ease of reference.

Currently, the subject lands are under construction with two of four permitted residential towers already registered and fully occupied. Registration of the third tower (under construction) is pending with site plan approval of the fourth tower and commercial component to be initiated by the Owner in the near future.

SOLMAR INC.

Adopted City of Vaughan Official Plan

In reviewing the adopted City of Vaughan Official Plan it appears the subject land's legally permitted land uses have not been accurately recognized. In particular, Schedule 13-N (Land Use) identifies the subject lands as 'High-Rise Residential' with a maximum height of 16 Storeys and Density of 4.

The said schedule does not recognize the permitted commercial land use located at the northern portion of subject lands nor does the said schedule recognize the increased height and other site specific adjustments.

Request for Modifications

Based on the aforementioned and enclosed documentation, prior to final approval our office respectfully requests modifications be undertaken to the Council adopted, City of Vaughan Official Plan in order to accurately reflect the permissible land uses and site specific criteria associated with the subject lands.

In this regard, our office wishes to be kept appraised of our request for modification and wishes to receive a Notice of Decision related to the adopted City of Vaughan Official Plan.

It is our expressed position that the timely and orderly administrative processing associated with the permitted development rights of the subject lands not be compromised or delayed, as a result of the Official Plan Review process.

Your attention regarding this matter is greatly appreciated.

Should you have any questions or require further information, please do not hesitate to contact the undersigned.

Yours truly, SQLWIADING.

Maurzin Rogato, B.U.R.Pl., M.C.I.P., R.P.P.

Land Development

Copy: Mr. Roy McQuillin, Manager Policy Planning, City of Vaughan (Encl.)

Mr. Clement Chong, Planner, City of Vaughan (Encl.)

Mr. James M. Kennedy, KLM Planning Partners Inc (Encl.)

AMENDMENT NUMBER 688

TO THE OFFICIAL PLAN

OF THE VAUGHAN PLANNING AREA

The following text to Amendment Number 688 to the Official Plan of the Vaughan Planning Area and Schedule "1" constitute Amendment Number 688.

Also attached hereto but not constituting part of the Amendment are Appendices "I" and "II".

<u>PURPOSE</u>

The purpose of this Amendment to the Official Plan is to amend the provisions of the Official Plan of the Vaughan Planning Area respecting Amendment No. 600, as amended by Amendment No. 626, herein referred to as OPA #600 and OPA #626, respectively.

The overall Subject Lands were originally approved for a total of 720 units by the Ontario Municipal Board on April 19, 2005, as part of Decision Order 0982. The Owner had designed the approved residential condominium apartment buildings (Buildings "A", "B", and "C") with smaller units than originally anticipated, for a total of 689 units. As a result, there are 31 units available on the overall Subject Lands under the current Official Plan permission (OPA #626) for the future development of the permitted fourth, 16-storey residential condominium apartment building (Building "D").

The subject Amendment will increase the maximum permitted residential density on the Subject Lands, shown as "Area Subject to Amendment No. 688" on Schedule "1" hereto, from 200 units per hectare to 250 units per hectare, thereby increasing the total number of residential units permitted on the overall Subject Lands from 720 to 900 units (an increase of 180 units), to facilitate the future development of the permitted fourth, 16-storey residential condominium apartment building (Building "D"). The 31 remaining number of units will be included with the additional 180 units. The total maximum number of residential units in Building "D" would be 211 units (180 units + 31 units).

II LOCATION

The lands subject to this Amendment (hereinafter referred to as "Subject Lands"), are shown on Schedule "1" attached hereto as "Area Subject to Amendment No. 688". The lands are located on the northeast corner of Jane Street and Rutherford Road, in Part of Lot 16, Concession 4, City of Vaughan and are comprised of the lands municipally known as 9225, 9235, 9245, and 9255 Jane Street, which represents a total Lot Area of 3.604 ha.

III BASIS

The decision to amend the "Vaughan Centre Secondary Plan" policies of the Official Plan in OPA #600, as amended, to increase the maximum permitted residential density on the Subject Lands is based on the following considerations:

 The Provincial Places to Grow Plan promotes growth in built-up areas through compact and transit supported communities. The Subject Lands are currently approved to permit high density residential in four condominium apartment buildings. The Subject Lands are serviced by York Region Transit (YRT), including two bus pads, one each along Rutherford Road and Jane Street, which are in close proximity to the YRT Transit Terminal at the Vaughan Mills Mall. The proposal to increase the density to allow for the development of the permitted fourth, 16-storey residential condominium apartment Building "D" is consistent with and will continue to meet the policies of the Plan.

- 2. The Provincial Policy Statement (PPS) includes policies that encourage residential intensification, densities that make more efficient use of land and public infrastructure, and facilitates public transit supportive development, and the provision of a full range of housing types. The proposal to increase the density to allow for the development of the permitted fourth, 16-storey residential condominium apartment Building "D" is consistent with and will continue to meet the goals and objectives of the PPS.
- 3. The Region of York Official Plan designates the Subject Lands as an "Urban Area", which are described as areas of diversity, that promotes economic activity and are transit supportive. The 'Regional Plan establishes various objectives within "Urban Areas", including the need to promote a transit supportive urban structure that includes compact development, and a broad mix and range of housing including different housing forms, types and tenures to satisfy the needs of the Region's residents. The Regional Plan identifies that the housing stock in the Region is primarily detached units. The housing market is faced with demands for a broader variety of housing forms to meet the needs of different kinds of households. The proposed condominium apartment development provides intensification at Jane Street and Rutherford Road that is transit supportive. The proposal to permit an increase in density is consistent with the goals and objectives of the Regional Plan.
- Having received a statutory Public Hearing held on January 21, 2008, Vaughan Council on May 26,
 2008, approved Official Plan Amendment Application File OP.07.008 to increase the maximum permitted residential density on the Subject Lands from 200 to 250 units per hectare.

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

OPA #600 to the Official Plan of the Vaughan Planning Area, as amended by site-specific OPA #626, which was approved by the Ontario Municipal Board, is hereby further amended by:

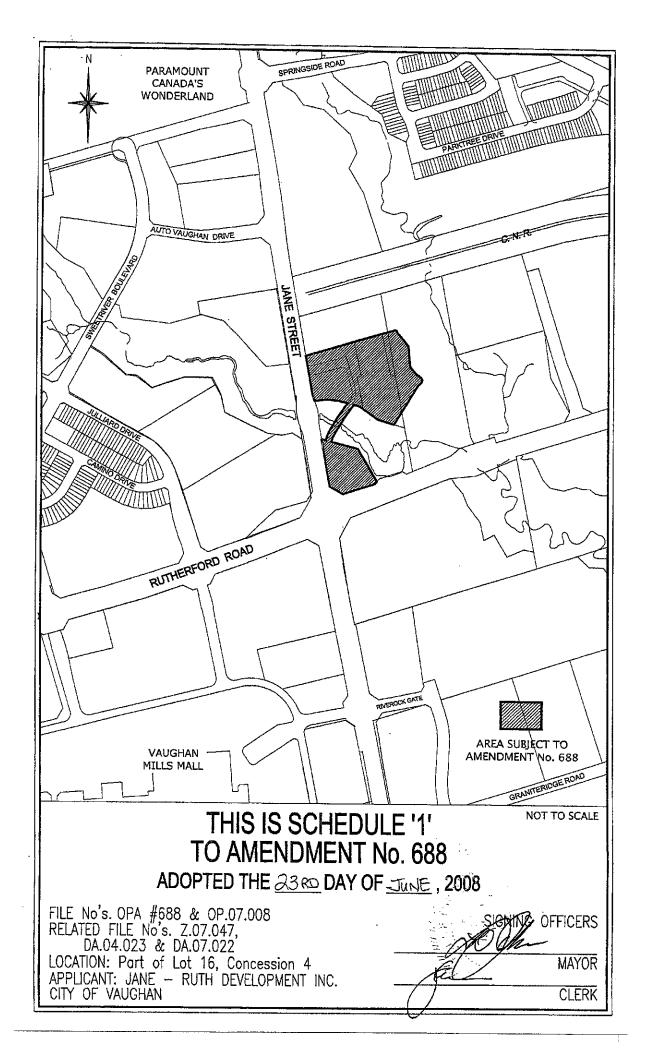
 Deleting all reference to the number "200" in subsection 4.2.1.4 iii) and substituting therefor the number "250".

V <u>IMPLEMENTATION</u>

It is intended that the policies of the Official Plan of the Vaughan Planning Area pertaining to the subject lands will be implemented by way of an amendment to the Vaughan Zoning By-law and Site Plan approval, pursuant to the Planning Act.

VI <u>INTERPRETATION</u>

The provisions of the Official Plan of the Vaughan Planning Area as amended from time to time regarding the interpretation of that Plan shall apply with respect to this Amendment.



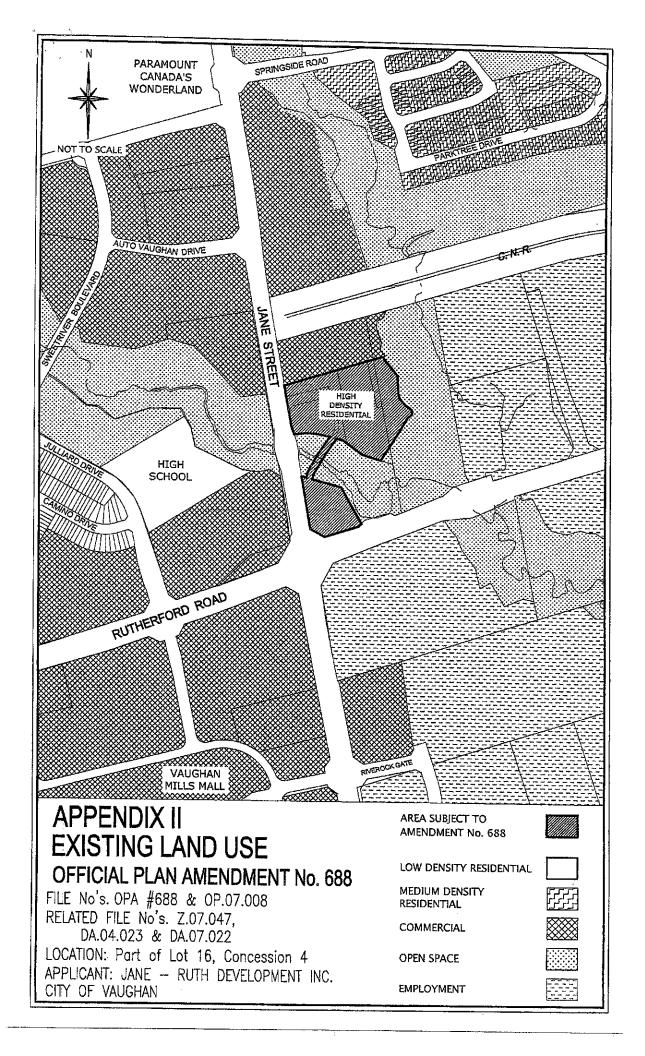
APPENDIX I

The subject lands are located on the northeast corner of Jane Street and Rutherford Road, in Part of Lot 16, Concession 4, City of Vaughan.

On May 26, 2008, Vaughan Council considered an application to amend the Official Plan and Zoning By-law and resolved the following:

- "1. THAT Official Plan Amendment File OP.07.008 (Jane-Ruth Development Inc.) BE APPROVED, to amend OPA #626 to increase the maximum permitted residential density on the subject lands shown on Attachment #1, from 200 units/ha to 250 units/ha, thereby increasing the total number of residential units permitted on the overall subject lands from 720 to 900 units (an increase of 180 units), to facilitate the future development of the permitted fourth, 16-storey residential condominium apartment building (Building 'D') as shown on Attachment #2.
- THAT Zoning By-law Amendment File Z.07.047 (Jane-Ruth Development Inc.) BE APPROVED, to amend site-specific Exception 9(1246) to By-law 1-88, as follows:
 - i) increase the maximum number of residential dwelling units permitted on the overall subject lands from 200 units/ha to 250 units/ha (i.e. from 720 to 900 units, comprising an increase of 180 units to be allocated to Building 'D');
 - ii) reduce the minimum lot area requirement from 49.9 m² per unit to 40 m² per unit; and,
 - iii) add the Holding Symbol "(H)" to the portion of the subject lands zoned RA3 Apartment Residential Zone that pertains to Building 'D', until water and sanitary servicing capacity is available and allocated by Council."

t



THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 159-2008

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 Vaughan Official Plan adopted by Council but 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) Deleting clause "a)" of subparagraph "fi)" of Exception 9(1246) from Section 9.0
 "EXCEPTIONS" and substituting therefor the following clause:
 - "a) For the purpose of this paragraph the Minimum Lot Area per unit dwelling shall be 40.0 m² per dwelling unit and the Lot Area shall be deemed to be 3.604 hectares;"
 - b) Deleting clause "f)" of subparagraph "fi)" of Exception 9(1246) from Section 9.0 "EXCEPTIONS" and substituting therefor the following clause:
 - "f) The Maximum Gross Floor Area of all buildings located within the lands zoned RA3

 Apartment Residential Zone on Schedule "E-1374" shall not exceed 2.7 times the Lot

 Area and the maximum number of residential dwelling units located within the RA3

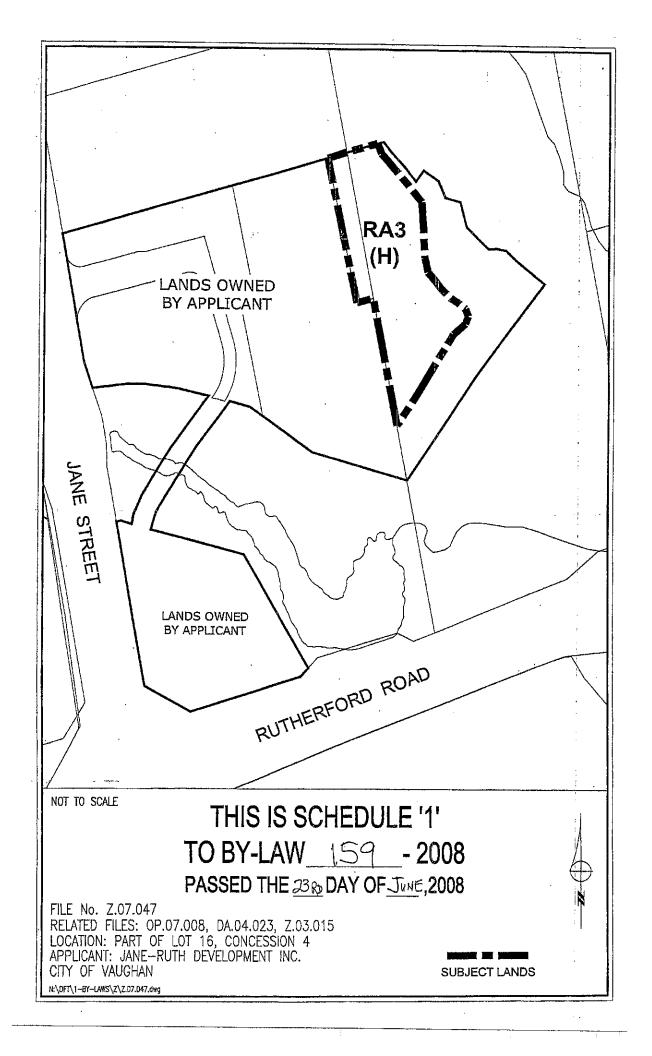
 Apartment Residential Zone shall not exceed 250 units per hectare of Lot Area. For
 the purposes of this paragraph, the Lot Area shall be deemed to be 3.604 hectares;"
 - c) Deleting Schedule "E-1374" and substituting therefor the Schedule "E-1374" attached hereto as Schedule "2".
 - d) Deleting Key Map 4D and substituting therefor the Key Map 4D attached hereto as Schedule "3", thereby adding the Holding Symbol "(H)" and effectively zoning the Subject Lands, as shown on Schedule "1", to RA3 Apartment Residential Zone with the addition of the Holding Symbol "(H)", as shown on Schedule "2".
 - Lands zoned with the Holding Symbol "(H)", as shown on Schedule "E-1374", shall be used only for a use legally existing as of the date of the enactment of By-law 159-2008, until the Holding Symbol "(H)" is removed pursuant to Subsection 36(3) or (4) of the Planning Act. The Holding Symbol "(H)" shall be removed upon the allocation of water and service capacity to the subject lands by Council.
- 2. Schedules "1", "2", and "3" shall be and hereby form part of this By-law.

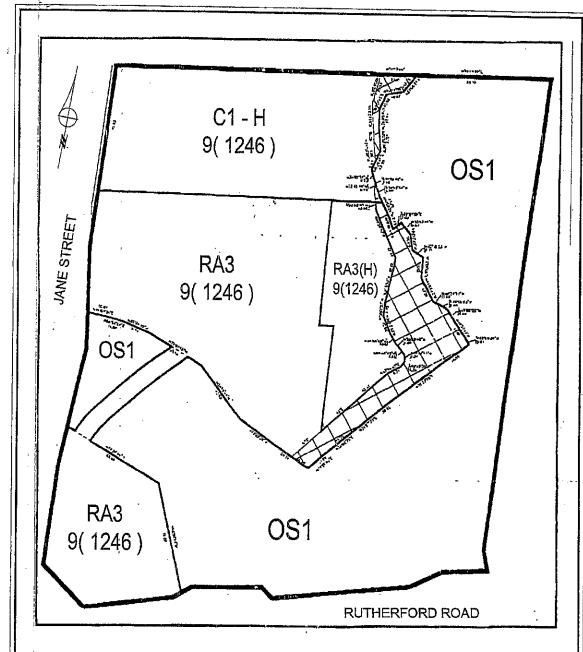
READ a FIRST, SECOND and THIRD time and finally passed this $23^{\rm rd}$ day of June, 2008.

"Linda D. Jackson" Linda D. Jackson, Mayor

.

"Jeffrey A. Abrams"
Jeffrey A. Abrams, City Clerk





THIS IS SCHEDULE 'E-1374' **TO BY-LAW 1-88 SECTION 9(1246)**



TREE PRESERVATION AREA

SUBJECT LANDS

NOT TO SCALE

THIS IS SCHEDULE '2' TO BY-LAW 159 - 2008 PASSED THE 3300 DAY OF JUNE ,2008



FILE No. Z.07.047 RELATED FILES: OP.07.008, DA.04.023, Z.03.015 LOCATION: PART OF LOT 16, CONCESSION 4 APPLICANT: JANE—RUTH DEVELOPMENT INC.

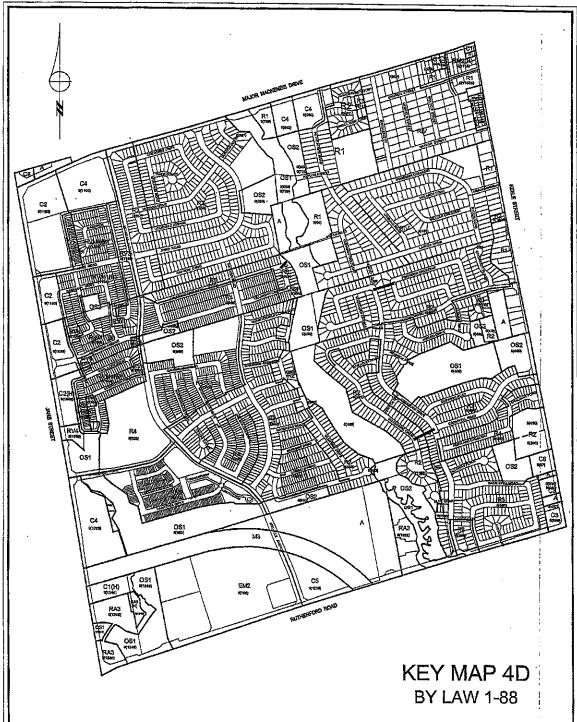
SIGNING OFFICERS, "Linda D. Jackson"

MAYOR

"Jeffrey A. Abrams'

CLERK

CITY OF VAUGHAN N:\DFT\1-8Y-LAWS\Z\Z.07.047.dwg



NOT TO SCALE

THIS IS SCHEDULE '3' TO BY-LAW 159 - 2008

PASSED THE 23 RD DAY OF JUNE , 2008



FILE: Z.07.047
RELATED FILES: OP.07.008, DA.04.023, Z.03.015
LOCATION: PART OF LOT 16, CONCESSION 4
APPLICANT: JANE—RUTH DEVELOPMENT INC.
CITY OF VAUGHAN

SIGNING OFFICERS "Linda D. Jackson"

"Jeffrey A. Abrams" --- MAYOR

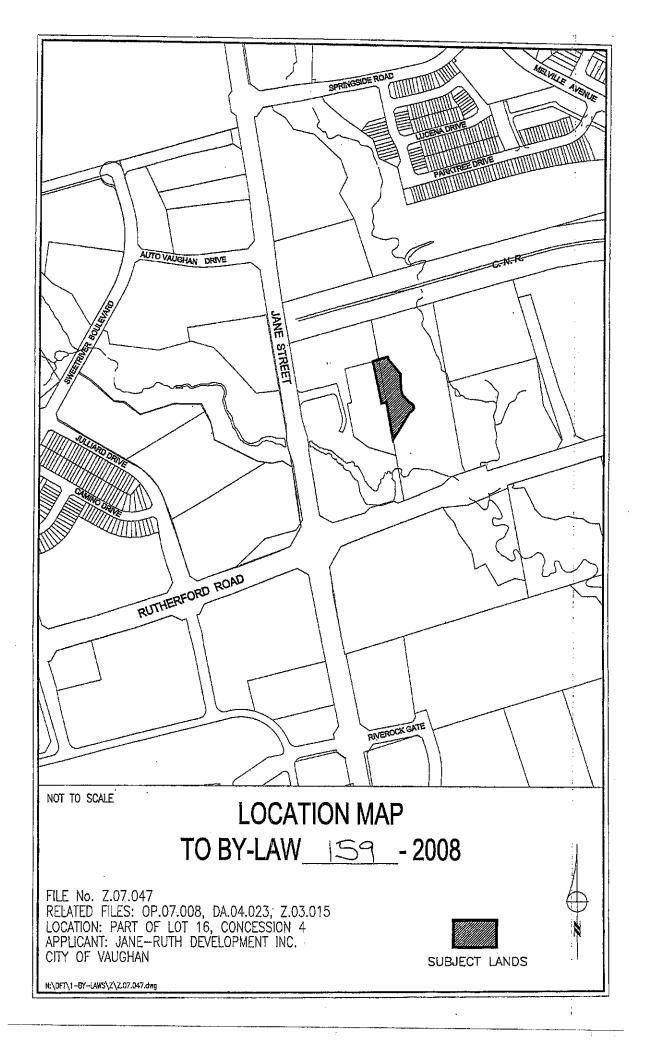
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SUMMARY TO BY-LAW 159-2008

The lands subject to this By-law are located north of Rutherford Road and east of Jane Street, in Lot 16, Concession 4, City of Vaughan.

By-law 277-2005 (Exception 9(1246)) was approved by the Ontario Municipal Board in Decision Order 2494, issued on September 23, 2005. The purpose of this By-law is to increase the maximum number of residential dwelling units permitted on the overall subject lands from 200 units/ha to 250 units/ha (i.e. from 720 to 900 units, an increase of 180 units to be allocated to Building "D" on the subject lands). The By-law also permits a reduction of Minimum Lot Area per dwelling unit requirement from 49.9 m² to 40 m² per unit. To date, water and sewer allocation has not been identified for Building "D". As a result, Schedule "E-1374" has been amended to add the Holding Symbol "(H)" to the portion of the subject lands zoned RA3 Apartment Residential Zone that pertains to Building "D", until water and sanitary servicing capacity is available and allocated by Council. This would be confirmed in conjunction with a future Site Development Application for Building "D".





7 FCEIVED

2141 Major Mackenzie Drivo

Vaughan, Ontario

Canado, L6A 1T1 Tel [905] 832-2281

COMMITTEE OF ADJUSTMENT (VARIANCES)

NOTICE THAT DECISION IS FINAL AND BINDING

FILE NUMBER:

A045/09

APPLICANT:

JANE-RUTH DEVELOPMENT INC.

PROPERTY:

Part of Lot 16, Concession 4, (municipally known as 9245 and 9255 Jane Street,

Maple).

The period during which the decision of the Committee of Adjustment in the above matter may be appealed has expired.

No Notice of Appeal has been received by me and you are, therefore, notified that the decision of the Committee of Adjustment on the above applications are now final and binding.

NOTE: IF ANY CONDITIONS ARE IMPOSED ON THIS

APPLICATION THE RINAL DATE FOR

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FAILURE TO FULFILL THESE CONDITIONS ON OR BEFORE THIS DATE WILL RESULT IN THE CLOSURE OF THIS APPLICATION.

Todd Coles, BES, MCIP, RPP

Manager of Development Services and

Secretary-Treasurer to Committee of Adjustment

City of Vaughan

Jane-Ruth Development Inc. Attention of Benny Marotta 122 Romina Drive Concord, Ontario L4K 4Z7



COMMITTEE OF ADJUSTMENT (VARIANCES)

2141 Major Mackenzie Drive Vaughan, Ontario Canada L6A 1T1 Tel [905] 832-2281 Fax [905] 832-8535

NOTICE THAT DECISION IS FINAL AND BINDING

FILE NUMBER:

A248/08

APPLICANTS:

JANE-RUTH DEVELOPMENT INC.

PROPERTY:

Part of Lot 7, Concession 7, (Part 1, Reference Plan No.65R-10366, municipally

known as 7961 Islington Ave., Woodbridge.)

IN THE MATTER OF the application noted above:

Please be advised that the period during which the decision of the Committee of Adjustment in respect to the above matter may be appealed has expired.

No Notice of Appeal has been received by the City of Vaughan, therefore, you are notified that the decision of the Committee of Adjustment on the above application is now final and binding.

NOTE:

IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS:

OCTOBER 15, 2009

FAILURE TO FULFIL CONDITIONS ON OR BEFOREITHIS DATE WILL RESULT IN THE CLOSURE OF THIS APPLICATION.

Todd Coles, BES, MCIP, RPP

Manager of Development Services and

Secretary-Treasurer to Committee of Adjustment

City of Vaughan

Jane Ruth Development Inc. 122 Romina Drive Concords Cittano



RECEIVED

JAN C 4 2008

COMMITTEE OF ADJUSTMENT

Vaughun, Ontario Canada, L6A 1T1 Tel (905) 832-2281

2141 Major Mackenzie Drive

(VARIANCES)

NOTICE THAT DECISION IS FINAL AND BINDING

SUBMISSION NO :V.07.109 FILE NO: A109/07

IN THE MATTER OF an application by **JANE-RUTH DEVELOPMENT INC.**, with respect to Part of Lot 16, Concession 4, (Municipally known as 9245 Jane Street, Maple).

The period during which the decision of the Committee of Adjustment in the above matter may be appealed has expired.

No Notice of Appeal has been received by me and you are, therefore, notified that the decision of the Committee of Adjustment on the above applications are now final and binding.

NOTE: IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS: ***JANUARY 2. 2009 ***

FAILURE TO FULFILL THESE CONDITIONS ON OR BEFORE THIS DATE WILL RESULT IN THE CLOSURE OF THIS APPLICATION.

Todd Coles, BES, MCIP, RPP

Manager of Development Services and

Secretary-Treasurer to Committee of Adjustment

City of Vaughan

Jane-Ruth Development Inc. Attention of Maurizio Rogato or Benny Marotta 122 Romina Drive, Concord, Ontario L4K 4Z7

Ko, Augustine

From: Kryzanowski, Karen
Sent: March 8, 2011 1:58 PM

To: Ko, Augustine

Subject: FW: NOTICE OF DECISION OF THE CITY OF VAUGHAN OFFICIAL PLAN VOLUME 1 AND

WOODBRIDGE FOCUSED AREA VOLUME 2

fyi

Karen Kryzanowski

Assistant to the Commissioner Planning & Development Services The Regional Municipality of York 17250 Yonge Street, Newmarket ON L3Y 6Z1 905-830-4444 ext 1501 1-877-464-9675 ext 1501

From: BALOR [mailto:living@ecowerks.ca] **Sent:** Tuesday, March 08, 2011 1:57 PM

To: Kelly, Denis **Cc:** Tuckey, Bryan

Subject: NOTICE OF DECISION OF THE CITY OF VAUGHAN OFFICIAL PLAN VOLUME 1 AND WOODBRIDGE

FOCUSED AREA VOLUME 2

I understand that the above referenced documents were submitted by the City of Vaughan to the Region as approval authority in September 2010.

I would request a Notice of Decision on these submittals address to;

Balor Development Services Ltd. 8265 Islington Avenue

Woodbridge, Ontario L4L 1W9

I am making this request on behalf of BRIARDOWN ESTATES INC. c/o 51 Babak Boulevard, Woodbridge, Ontario L4L 9A5

I have been involved in the various public meetings and was registered as such for both these documents.

Moreover I have with others submitted:

- 1. Comment on the Woodbridge Focused Area Study on September 23, 2009.
- 2. Prepared and submitted "Review of Woodbridge Centre Secondary Draft Document of May 2010 in July 2010.
- 3. Review of city of Vaughan Official Plan Volume 1 April 2010 Draft in July 2010.

All these documents are with the Planning Department of the City of Vaughan.

I look forward to your early reply.

Lorenz Schmidt

BALOR DEVELOPMENT SERVICES LTD. 8265 Islington Avenue, Woodbridge ON L4L 1W9 TEL: 905-856-5225 FAX: 905-856-9017 living@ecowerks.ca May Luong T (416) 367-6251 F (416) 361-2774 mluong@blg.com Borden Ladner Gervais LLP Scotia Plaza, 40 King St W Toronto, ON, Canada M5H 3Y4 T 416.367.6000 F 416.367.6749 blo.com



March 7, 2011

DELIVERED BY EMAIL (augustine.ko@york.ca)

Regional Municipality of York Planning Department 17250 Yonge Street, 4th Floor Newmarket, ON L3Y 6Z1

Attention: Mr. Augustine Ko, Senior Planner

Dear Mr. Ko:

Re: New City of Vaughan Official Plan

Adopted by City Council September 7, 2010 MacMillan Farm – 9605 Dufferin Street, Vaughan

Letter of Concern

We represent the owner of the property at 9605 Dufferin Street ("subject lands") namely Tom MacMillan ("Mr. MacMillan"). This 25 acre property is located east of Dufferin Street and north of Rutherford Road in the City of Vaughan. Our client has been negotiating with the City of Vaughan for several years with respect to the sale of the subject lands. However, our client has only recently been advised that the City of Vaughan Council adopted their new Official Plan on September 7, 2010, which is and now awaiting the Region's approval. In reviewing the new Official Plan policies and schedules, our client has a significant concern with the proposed land use designation for the subject lands. This proposed land use designation could have a direct and prejudicial impact on the proposed sale of the subject lands.

Background and Concerns

On April 16, 2000, Mr MacMillan's mother, the owner of the subject lands at the time, offered a donation, to the Nature Conservancy of Canada, of 120 acres of land and retained 25 acres (attached for your reference is the Licence Agreement with the Nature Conservancy of Canada, illustrating the boundaries of the 120 acres). For several years, our client has been negotiation with City staff in good faith, with respect to selling the City their remaining 25 acres. The City has been made aware that Mr. MacMillan intends to the sell subject lands to a third party \$ for future residential development if the deal falls through with the City has been made very clear during negotiations.



To Mr. MacMillan's surprise, the City of Vaughan's new Official Plan has a significant impact on the subject lands' potential use. The subject lands are currently governed by City of Vaughan's OPAs 600 and 604. In these OPAs, the subject lands are part of the Carrville – Urban Village 2 area and designated Tableland Woodlots along Dufferin Street, Low Density Residential to the rear of the property and a small portion designated Valley Lands.

In the new Official Plan, the subject lands are designated Natural Areas in the Land Use, Schedule 13-0, which is significantly different from OPAs 600 and 604 and restricts any type of development except for:

- a) natural area management for the purposes of maintaining and enhancing the functions associated with Core Features;
- b) flood or erosion control projects, where such projects are necessary and deemed in the public interest after all alternatives have been considered, and where such projects will not result in a negative impact on the Core Features and will not have a negative impact on the ecosystem function; and,
- c) transportation, infrastructure and utilities, where such projects are necessary.

Conclusion

It is our view that the subject lands have been incorrectly designated in the new Official Plan. The Natural Areas designation should only apply to the lands already donated to the Nature Conservancy of Canada. The subject lands should either have the same designation as they do in the current OPAs 600 and 604 or should be noted as "deferred pending negotiations with the City".

After donating 120 acres of their lands to the Nature Conservancy of Canada and all the time spent with City staff negotiating in good faith on the sale of the remaining 25 acres of land, Mr. MacMillan is very disappointed to see that the City has designated the remaining lands as Natural Areas without discussing this with him prior to City Council's approval. His sincere hope is that this was done through an administrative oversight and not as a direct attempt to undermine his negotiating position with respect to the sale of the subject lands.

We further request that we be put on the notification list to receive notice of future Committee/Council meetings and Council's decisions on this matter. This letter will serve as our right to appeal if we choose to, if and when the new City of Vaughan Official Plan is approved by Regional Council.

We thank you in advance for your consideration of our client's concerns expressed above and would be pleased to meet with you to discuss these concerns in greater detail.

If you have any questions, please do not hesitate to contact me.



Yours truly,

BORDEN LADNER GERVAIS LLP

May Luong Land Use Planner

cc:

Denis Kelly, Regional Clerk (denis.kelly@york.ca)
Roy McQuillin, City of Vaughan Policy Planning (roy.mcquillin@vaughan.ca)
Tom MacMillan, client
Brennan Carroll, Borden Ladner Gervais LLP

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	·	

LICENCE AGREEMENT

THIS INDENTURE made the 224 day of file 2007

BETWEEN:

THE NATURE CONSERVANCY OF CANADA

hereinafter called the "LICENSOR" of the FIRST PART

- and -

ROBERT LAIDLAW MACMILLAN and ELUNED JANE MACMILLAN hereinafter called the "LICENSEE" of the SECOND PART

WHEREAS by an offer of donation dated the 16th day of April 2000, ("the Donation") the Licensee offered to donate to the Licensor (which offer the Licensor has accepted) the lands owned by the Licensee known as Part Lots 17 and 18 Concession 2 being Parts 1 and 2 Reference Plan 65R14366, save and except Part 1 65R15918 and Parts 1 and 3 Expropriation Plan D818, Vaughan, Regional Municipality of York. ("the Property").

AND WHEREAS the Licensor will permit the Licensee to continue to occupy the Property subject to the following terms.

AND WHEREAS it is the intention of the Parties in making and accepting the Donation and in entering into this Agreement, to protect all of the natural features of the Property.

NOW THEREFORE, THIS AGREEMENT WITNESSES that in consideration of the Donation and the promises and covenants contained herein on the part of each of the Licensor and the Licensee, (the receipt and sufficiency of which is hereby acknowledged by the parties hereto) the Licensor hereby consents to the occupation by the Licensee of the Property on the following terms:

1. TERM

- 1.1 This Agreement shall terminate on the date on which the first of the following events occurs:
 - a) the last surviving Licensee or permitted Assignee dies;
 - all of the surviving Licensees and permitted Assignees signify in writing that they no longer wish to occupy the Property;
 - the Licensor terminates this Agreement for cause pursuant to paragraph

2. LICENSEE'S RIGHTS

- 2.1 The Licensee has the right to:
 - a) Extend the rights and privileges of the Licencee (save and except this right of assignment) to each of Margaret Olwen MacMillan, Ann Elizabeth MacMillan, Thomas Carey MacMillan, Robert David Hugh Macmillan and David John MacMillan ("permitted Assignee") to take effect upon the date that each such permitted Assignee confirms in writing to the Licensor that the permitted Assignee will be bound by the terms of this Licence Agreement as if originally named as a Licensee.
 - b) quiet enjoyment of the Property in a manner and to an extent consistent with the occupation of the Property by the Licensee prior to the Donation;
 - c lease, and retain the revenue from such lease(s), the agricultural fields

existing at the date of the Donation and shown on Schedule A attached, until such time as the agricultural activities are deemed by the Licencee to no longer be a viable, economic use of the Property and so notifies the Licensor in writing. Upon such determination and notification by the Licencee, the Licencee shall discontinue the agricultural uses and the Licensor may commence restoration activities on said agricultural lands to gradually restore such lands to a natural state. Thereafter such lands shall remain in a natural state. Restoration activities shall be undertaken according to a restoration plan, to be developed by the Licensor in consultation with the Licencee;

- d) construct pedestrian trails on the Property not exceeding 1.5 meters in width in a location(s) approved by the Licensor, which approval shall not be unreasonably withheld, made subject to conditions or delayed; and
- e) access the Property by all terrain vehicles, motorized wheelchairs or similar devices along aforesaid pedestrian trails in a manner and to an extent consistent with the occupation of the Property by the Licensee prior to the Donation.
- 2.2 The rights of the Licensee are personal to the Licensee and, except as provided in paragraph 2.1a) above, may not be further assigned .
- 2.3 The rights of a permitted Assignee are personal to the permitted Assignee and may not be assigned.

3. LICENSEE'S OBLIGATIONS

- 3.1 The Licensee and permitted Assignee shall:
 - a) reimburse the Licensor upon receipt of written proof of payment for all taxes, rates, local improvement charges and any other charges levied against the Property by any government or government agency upon request to the date of receipt by the Licensor of the notice referred to in paragraph 2.1c) above.
 - steward the natural features of the Property in accordance with a management plan to be created by the Licensor within 365 days of the signing of this agreement in consultation with the Licensee;
 - c) not Waste or permit anyone else to Waste the Property. For the purposes of this Licence Agreement, the term "Waste" includes but is not restricted to logging, mining, excavating altering the topography of or otherwise "using up" the Property to the detriment of the natural features of the Property and the purpose for which the Donation was made; and
 - d) to obtain and maintain in force general liability insurance for any personal injury or property damage occurring on or at the Property for not less than \$1,000,000 per occurrence with the Licensor named as an additional insured and provide proof of such insurance upon request.

4. LICENSOR'S RIGHTS

- 4.1 The Licensor has the right to:
 - a) enter the Property to inspect, conduct scientific research and educational programs, and perform work to protect or enhance the natural features of the Property, with three (3) days prior written notice to the Licensee, except in case of emergency and unless otherwise mutually agreed to in writing by the parties hereto;
 - b) subject to paragraph 4.2, terminate this Agreement if, in the opinion of the Licensor acting reasonably, the Licensee has materially breached the obligations of the Licensee under this Agreement;
 - subject to paragraph 4.2, terminate this Agreement if, in the opinion of the Licensor acting reasonably, acts of the Licensee or invitees of the Licensee are causing or are likely to cause significant damage to any of the natural features of the Property;

4.2 If the Licensor intends to exercise its rights pursuant to paragraph 4.1b) or 4.1c) above, the Licensor (unless in the opinion of the Licensor acting reasonably, because of the nature of the default under paragraph 4.1b) or the act in question under paragraph 4.1c), or other circumstances, the natural features of the Property cannot be properly protected by giving the within notice,) shall first give to the Licensee written notice of the default and sixty (60) days to remedy the default or make arrangements satisfactory to the Licensee to remedy the default. If the default is not remedied or arrangements made as aforesaid the Licensor, in addition to any other rights it may have, may immediately recover exclusive possession of the Property.

5. NOTICES

5.1 Any notice or other communication required or permitted to be given hereunder shall be in writing and shall be given either by delivering the same to the recipient by telefax or similar system, or mailing the same postage prepaid in a government post box to the recipient at the following address:

If to the Licensor: 5420 Highway 6 North, RR# 5 Guelph, Ontario, N1H 6J2.

Attention: Director of Land Protection.

Facsimile: (519) 826-9206

If to the Licensee: 9605 Dufferin Street

P.O. Box 728, R.R. #2 Maple, Ontario, L6A 1S7

ANY notice or other communication mailed or delivered as aforesaid shall be deemed to have been given at the date it was personally delivered or if mailed shall be deemed to have been given on the fifth (5th) business day following the date on which it was mailed or if telefaxed shall be deemed to have been given when the telefax is received by the party or her agent or Solicitor. Either the Licensor or the Licensee may change her address for service from time to time by giving written notice in accordance with the foregoing.

6. GENERAL PROVISIONS

- 6.1 Whenever the singular and feminine are used in this Agreement they shall be construed as if the plural or the neuter or masculine had been used, where the context or the party or parties hereto so require, and the rest of the sentence shall be construed as if the grammatical and terminological changes thereby rendered necessary had been made.
- 6.2 Where there is more than one Licensee or permitted Assignee, the obligations thereof shall be joint and several.
- 6.3 This Agreement shall be binding on and enure to the benefit of any successor of the Licensor and be binding on and enure to the benefit of the Licensee, their executors or administrators and their permitted Assignees.
- 6.4 The parties hereto agree that they will from time to time at the reasonable request of the other party hereto execute and deliver such instrument and take such further action as may be required to accomplish the purpose of this Agreement.
- 6.5 This Agreement shall be governed by and construed in accordance with the laws of the Province of Ontario and the laws of Canada applicable therein and shall be treated in all respects as an Ontario contract.
- 6.6 This Agreement may be executed in any number of counterparts, each of when so executed shall be deemed to be an original and all of which taken together shall constitute one and the same instrument.

6.7 The parties hereto acknowledge that this Agreement may be registered against title to the Property.

IN WITNESS WHEREOF the parties have executed this Agreement.

Witness

James Duncan
Director of Land Protection
I have authority to bind the corporation.

LICENCEE

Witness

Robert Laidlaw MacMillan

Vitness

Eluned Jane MacMillan

SCHEDULE "A"

Attached to and forming part of the Licence Agreement between

THE NATURE CONSERVANCY OF CANADA, the "LICENSOR" of the FIRST PART

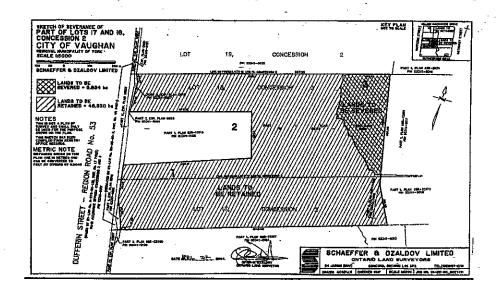
- and -

ROBERT LAIDLAW MACMILLAN and ELUNED JANE MACMILLAN

the "LICENSEE" of the SECOND PART

dated as of the 23 day of Film 2009

Map Of Property (not to scale)





March 1, 2011

CFN 38958

By MAIL & EMAIL

Mr. Augustine Ko Senior Planner York Region 17250 Yonge Street Newmarket, ON L3Y 6Z1

Dear Mr. Ko,



Re: City of Vaughan Adopted Official Plan & Related Secondary Plans

Thank you very much for joining our meeting with City of Vaughan Staff on January 19, 2011. We appreciate the assistance of the Region in working together to advance the Authority's policy concerns with this Plan as they relate to natural heritage and natural hazards. We appreciate the volume and complexity of work and suggest that refinements be made together to clarify the workability of the policies and framework. Our goal is to work with Vaughan Staff to develop a set of modifications that simplify the implementation of the Official Plan in a mutually beneficial manner.

The following is a summary of TRCA concerns related to the Adopted Official Plan. It is based on the agenda provided and discussed at the January 19th meeting.

With respect to the policy framework and mapping several issues were identified:

- The relationship between the Natural Area and Countryside policies in Section 2.2.2 and the environment policies within Section 3 is difficult to interpret. The terminology used in each section varies. The relationship between the Natural Heritage Network overlay on Schedule 2 and Natural Areas designation on Schedules13 A to T is not clear. With respect to the text, the policies in Section 3 focus on features and do reflect the proposed system (s. 3.2.1). A rationale should also be included to explain the variation in buffer/vegetation protection zone requirements from features (s. 3.2.3.4). The status of the text boxes as policies in Chapter 3 and their relationship to the proposed designations need clarification. As an example, the text box indicating that in determining the Natural Heritage Network the policy prevails over the text should be a policy.
- The permitted uses in Natural Heritage Network are unclear (s 3.2.3.3). There appears to be an inconsistent expectation between the policies of the text, the recognized features and the various environmental designations.
- The Enhancement Area policies, which the TRCA strongly supports, appear to



contradict the intent of identifying the enhancement areas (s 3.2.3.12) as the policy leads to renewed justification.

- When overlaying Provincial/Regional/Watershed Plan Natural Heritage Networks there appears to be inconsistency between various systems. Therefore, a more thorough detailed review is warranted..
- The Land Use Schedule designations are confusing. For example, for review purposes only, all the designations on the Kortright Centre and permitted uses associated with each and variation in the land area covered create a very confusing circumstance as to what applies to various portions of the property.

We recommend, as a potential method to simplify matters with respect to designation and policy implementation, that consideration be given to the Greenbelt Plan systems approach which considers natural heritage and water resources. This policy framework is simple to follow in structure and is an accepted and well utilized approach to policy structure.

With respect to other relevant policy documents, the following issues were identified:

- Given our delegated responsibility to represent the Provincial interest with respect to natural hazards and our mandated responsibilities under the Conservation Authorities Act, clarification of our role with respect to natural hazards and water resource matters within the policies has also been requested (i.e. meeting the requirements of TRCA for these matters).
- The definitions require review to confirm consistency with other policy documents. For example, the valleylands definition needs to be enhanced for consistency with TRCA's Valley and Stream Corridor Management Program or former Vaughan Official Plan.
- Teston Road is proposed to be upgraded and extended through a recognized environmentally sensitive area on Schedule 9. The TRCA would prefer to see consideration of this road removed. Given this may not be considered, the current recognition of the extension as "proposed" within the Adopted Region of York Official Plan would be preferred.

With respect to the Secondary Plans, various concerns were expressed. Of a general nature, the Official Plan is more detailed than the Secondary Plans (e.g. stormwater management) and the relationship between the more detailed policies in the Official Plan could be strengthened through cross references. Natural Hazard considerations also need to be strengthened in the Secondary Plans. Concerns related to each specific plan are outlined below.

- The Woodbridge Centre Secondary Plan requires further integration with the on-going Special Policy Area Review. Policies in these areas will also require Provincial approval. Clarification has been requested concerning the nature and uses for the proposed cultural centre in Dr. Maclean Park given that it is within the flood plain.
- For the North Kleinberg-Nashville Secondary Plan, approximately half of the comments raised by TRCA have not yet been responded to by the City. We are hoping to discuss these with the City. Wording changes could be considered to ensure consistency with Volume 1 (i.e., mapping), ensuring proper referencing in the secondary plan to Volume 1, ensuring specific issues not added to the secondary plan are addressed in Volume 1 (e.g., endangered species, headwater drainage features, updated hydrologic study for the Humber River Watershed) and addressing issues with the schedules (e.g, too much detail shown, legends not descriptive).
- The Vaughan Metropolitan Centre Secondary Plan requires some clarification respecting the relationship between natural heritage/natural hazards and the Black Creek Optimization Study results. Policies should also be included to ensure that through re-consideration of the design of Black Creek, natural heritage, urban design and stormwater management considerations result in a net environmental benefit acceptable to the TRCA and a desirable urban corridor and streetscape for the City. TRCA has worked with Vaughan Engineering Staff and the OP Team to technically and conceptually prepare for development within the area and resulting hazard issues with a view to create an exciting urban amenity.
- The West Vaughan Employment Area Secondary Plan requires alteration to ensure consistency with Volume 1 (i.e., mapping) and to ensure proper referencing in the secondary plan to Volume 1. There are specific issues present within the secondary plan that are addressed in Volume 1 (e.g., endangered species, headwater drainage features, updated hydrologic study for the Humber River Watershed). The Intermodal Priority Area is highly constrained by natural heritage features and hazards and these constraints need to be recognized and policies included requiring the limits of development to be established to the satisfaction of the TRCA and the City of Vaughan.
- The Yonge-Steeles Corridor Secondary Plan requires further consideration to ensure consistency between Volume 1 and Volume 2 with respect to stormwater management, as well as adding clarification that an official plan amendment would not be required for changes to Appendix B of the Secondary Plan.

Note that the above is a summary and TRCA Staff are working with Vaughan toward policy solutions. We are aware that City Staff are working toward modifications to the

Plan that may assist with addressing the above. TRCA Staff have offered to assist as the City desires. As the environmental partners for the implementation of these policies, we consider resolution of these issues important. Updated comments will be provided as any further proposed policies are reviewed.

We are aware of the Regions' target time line for decision in October 2011 and will work with the City toward providing modifications in advance to the best of our abilities. If you have any questions or require additional information, please do not hesitate to contact June Little, York Region West, Manager, Planning Development & Regulation, at 416-661-6600, ext. 5756.

Yours truly,

Carolyn Woodland, OALA, FCSLA, MCIP, RPP

solymordand.

Director, Planning and Development

Extension 5214

JL/dli

Copy: By email only

Diane Birchall, Director, Policy Planning & Urban Design

Roy McQuillan, Manager of Policy Tony lacobelli, Environmental Planner



WESTON CONSULTING GROUP INC.

'Land Use Planning Through Experience and Innovation'

March 2, 2011 File No. 5052-2

Mr. Bryan Tuckey Commissioner of Planning Regional Municipality of York 17250 Yonge Street, 4th Floor Newmarket, ON L3Y 6Z1

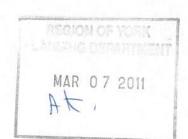
ATTENTION: Mr. Bryan Tuckey

Dear Sir:

Re: City of Vaughan Official Plan

Northeast Corner of Jane Street and Highway 7

City of Vaughan



Weston Consulting Group Inc. ("WCGI") is the planning consultant for ZZEN Group of Companies Ltd., being the owners of the property identified above. The subject lands are located within the Vaughan Metropolitan Centre ("VMC") as identified in the adopted City of Vaughan Official Plan (2010) (see attached Schedule "A"). The following submission follows previous submissions submitted to the City of Vaughan on December 7th 2009 and July 5th 2010 from WCGI in regard to the subject lands.

The purpose of this submission is to object to the provisions of the adopted City of Vaughan Official Plan and Vaughan Metropolitan Centre Secondary Plan (September 2010), as they relate to the subject lands. The subject property is currently designated as being located within the "Neighborhood Precinct" of the adopted Vaughan Metropolitan Centre Secondary Plan. It is our view that the subject lands should be included within the "Station Precinct" of the adopted Secondary Plan. It is also out view that the subject lands should also be exempt from the proposed development requirements identified in the adopted Official Plan and Secondary Plan including; height, density, dwelling units ratio and other standards.

The subject lands are located on the corner of Jane Street and Highway No. 7 and when developed would be a high profile site within the Vaughan Metropolitan Centre. The development of the subject lands for a mixed-use residential development would also create a continuous urban development connection between the approved Royal Empress Gardens site (Policy 9.2.3 of the Vaughan Metropolitan Centre Secondary Plan) and the proposed Vaughan Metropolitan Centre Subway Station. It is our view that the subject lands should be developed to its maximum development potential subject to the GTAA and NAV Canada requirements, and any physical, servicing, environmental, and traffic constraints on the site.

Since 1981

Vaughan Office:

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

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

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

Page 2 March 2, 2011

This should be determined through the detailed Zoning By-law Amendment process and justified by supporting studies.

It is our opinion that the subject lands should be included within the "Station Precinct" identified on Schedule G (Land Use Precincts) of the adopted Secondary Plan (2010), and be included as being subject to a site specific policy within the adopted VMC Secondary Plan. The site specific policy proposed for the subject lands is set out within the submission to the City of Vaughan dated July 5th 2010 (see attached Schedule "B"). We submit that the establishment of this designation on the subject lands will not remove any existing permissions.

We would request your positive consideration of our submission and would be pleased to discuss this matter further.

Yours truly,

Weston Consulting Group Inc.

Per:

Ted Cymbaly, BES, OPPI, RPP

Senior Associate

Cc: John Zipay, City of Vaughan

Diana Birchall, City of Vaughan Grant Uyeyama, City of Vaughan Sam Speranza, ZZEN Group



March 2, 2011 File No. 5052-2

Mr. Bryan Tuckey Commissioner of Planning Regional Municipality of York 17250 Yonge Street, 4th Floor Newmarket, ON L3Y 6Z1

ATTENTION: Mr. Bryan Tuckey

Dear Sir:

Re: City of Vaughan Official Plan

Northeast Corner of Jane Street and Highway 7

City of Vaughan

MAR 0 7 2011

Weston Consulting Group Inc. ("WCGI") is the planning consultant for ZZEN Group of Companies Ltd., being the owners of the property identified above. The subject lands are located within the Vaughan Metropolitan Centre ("VMC") as identified in the adopted City of Vaughan Official Plan (2010) (see attached Schedule "A"). The following submission follows previous submissions submitted to the City of Vaughan on December 7th 2009 and July 5th 2010 from WCGI in regard to the subject lands.

The purpose of this submission is to object to the provisions of the adopted City of Vaughan Official Plan and Vaughan Metropolitan Centre Secondary Plan (September 2010), as they relate to the subject lands. The subject property is currently designated as being located within the "Neighborhood Precinct" of the adopted Vaughan Metropolitan Centre Secondary Plan. It is our view that the subject lands should be included within the "Station Precinct" of the adopted Secondary Plan. It is also out view that the subject lands should also be exempt from the proposed development requirements identified in the adopted Official Plan and Secondary Plan including; height, density, dwelling units ratio and other standards.

The subject lands are located on the corner of Jane Street and Highway No. 7 and when developed would be a high profile site within the Vaughan Metropolitan Centre. The development of the subject lands for a mixed-use residential development would also create a continuous urban development connection between the approved Royal Empress Gardens site (Policy 9.2.3 of the Vaughan Metropolitan Centre Secondary Plan) and the proposed Vaughan Metropolitan Centre Subway Station. It is our view that the subject lands should be developed to its maximum development potential subject to the GTAA and NAV Canada requirements, and any physical, servicing, environmental, and traffic constraints on the site.

Since 1981

Vaughan Office:

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

1660 North Service Road East, Suite 114, Oakville, Ontario, L6H 7G3

Tel. 905-844-8749

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

This should be determined through the detailed Zoning By-law Amendment process and justified by supporting studies.

It is our opinion that the subject lands should be included within the "Station Precinct" identified on Schedule G (Land Use Precincts) of the adopted Secondary Plan (2010), and be included as being subject to a site specific policy within the adopted VMC Secondary Plan. The site specific policy proposed for the subject lands is set out within the submission to the City of Vaughan dated July 5th 2010 (see attached Schedule "B"). We submit that the establishment of this designation on the subject lands will not remove any existing permissions.

We would request your positive consideration of our submission and would be pleased to discuss this matter further.

Yours truly,

Weston Consulting Group Inc.

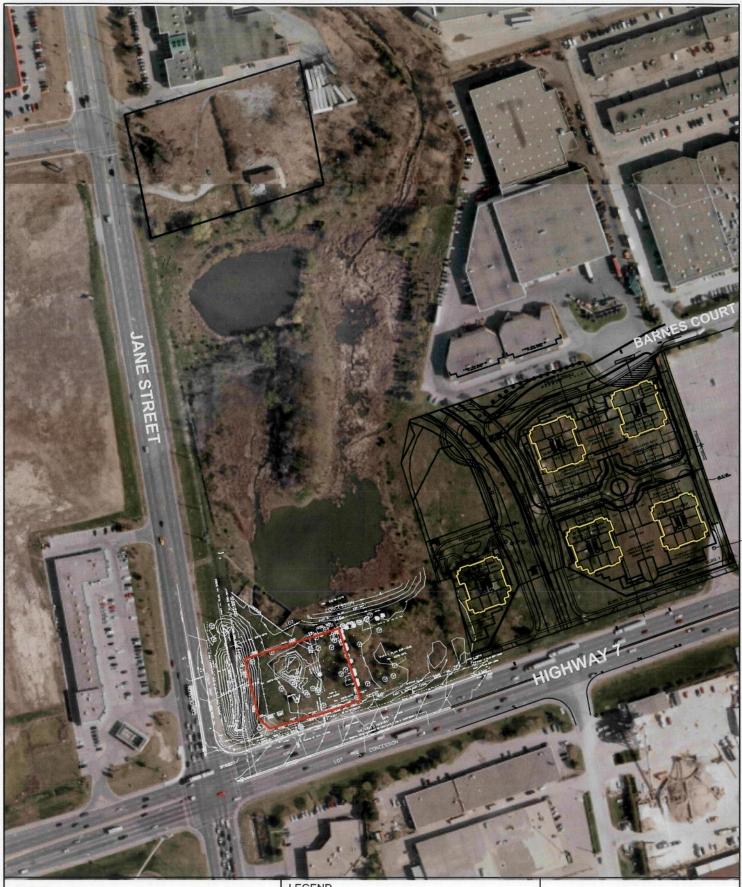
Per

Ted Cymbaly, BES, OPPI, RPP

Senior Associate

Cc:

John Zipay, City of Vaughan Diana Birchall, City of Vaughan Grant Uyeyama, City of Vaughan Sam Speranza, ZZEN Group





WESTON CONSULTING GROUP INC.



File No:	5052
Date Drawn:	26 JAN 11
Drawn By:	SM
Planner:	TC
Scale:	See Scale Bar

Air photograph from First Base Solutions April 2007

CAD File052 /Airphoto/ZZen Airphoto with overlays Jan 26_11.dgn

LEGEND



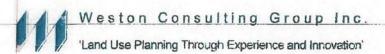
SUBJECT LANDS



AIR PHOTOGRAPH

ZZEN GROUP OF COMPANIES LTD.

JANE STREET AND HIGHWAY 7 CITY OF VAUGHAN



July 5, 2010 File No. 5052

City of Vaughan Policy Planning and Urban Design 2141 Major Mackenzie Drive Vaughan, Ontario L6A 1T1

ATTENTION: Clerk's Department

Dear Sir:

Re: File # VMC - 25.2.12.1

2966, 2978, and 2986 Highway 7

Northeast Corner of Jane Street and Highway 7

City of Vaughan

MAR 0 7 2011

Weston Consulting Group Inc. (WCGI) is the planning consultant for ZZEN Group of Companies Ltd. ("ZZEN") and Gold Park Group ("GPG"), being the owners of the properties identified above.

The subject lands are located within the proposed Vaughan Metropolitan Centre ("VMC") (see attached schedule "A"). The westerly property is under the ownership of ZZEN henceforth referred to as the "west parcel". The easterly property is owned by GPG henceforth referred to as the "east parcel".

The purpose of this submission is to request the subject lands be included within the "Station Precinct" of the draft Vaughan Metropolitan Centre Secondary Plan (see attached context plan). The subject lands should also be exempt from the proposed development standards including; height, density, dwelling units ratio and other standards. This action is required to facilitate the proposed appropriate development of the site. The submission follows up from the submission circulated to the City of Vaughan on December 7th 2009 with respect to the subject lands.

Following the December 7th 2009 submission to the City, the ZZEN and GPG have moved the proposed development project forward on the subject lands. A formal pre-application consultation meeting was held with City staff on May 21st 2010. During this meeting WCGI discussed the proposed development of the lands and presented to City staff the existing

plans for the development of these lands. At this time the proposed development consisted of; two 40-storey point towers joined by a common interconnecting podium (see attached elevation illustration). The proposed podium is four stories in height. Please find a copy of the preliminary development concept attached. A Pre-application Consultation Understanding was executed at this meeting by WCGI and the City of Vaughan that details the project application requirements.

The height and density associated with the proposed development is based upon the realization of maximum land development potential for the site. It is our view that the development of the site should not be limited by any maximum specific height and/or density requirement in the VMC Secondary Plan. The maximum land development potential in addition to the Greater Toronto Airport Authority maximum height requirements will determine the form of the development and the upper limits with respect to height and density.

It is our opinion as shared by our clients that the subject lands should be included within the "Station Precinct" identified on Schedule G (Land Use Precincts) of the draft Secondary Plan, and be included as a site specific policy within the proposed VMC Secondary Plan (see attached Schedule). The site specific policy will also include site specific built form policies.

The proposed site specific policy is set out below;

- 8.2. _____

 Notwithstanding the policies of the Station Precinct and the policies of 8.6 Built Form, the development of the subject lands identified on schedule ____ shall be according to the following:
 - Permitted uses shall be according to policy 8.2.2
 - Except where exempted by this specific policy, such development shall generally be consistent with achieving the objectives of the Vaughan Metropolitan Centre as outlined in policy 2.0 Vision and Principles and 3.0 Objectives
 - Any development shall be comprehensively planned to integrate with the lands to the east, the vision for Avenue 7, and have regard for the planned improvements to the Black Creek tributary, the stormwater retention pond and the lands on west side of Jane Street.
 - 4. The maximum height and density shall be established in the zoning bylaw applicable to the lands within the subject area based on supporting studies and analysis acceptable to the City and may exceed those identified on Schedule J where appropriate.
 - It is an objective that the amount of parking shall reflect the City's desire for increased transit usage. Supporting traffic analysis will be required to justify any reductions or changes to existing parking standards which may be applicable,

- Prior to any rezoning application approval which will permit an intensified development, the following shall be approved to the satisfaction of the City;
 - urban design studies and Urban Design Guidelines for the subject lands, including matters to support the height, density, built form and massing, pedestrian and bicycle movement and which may be varied as deemed appropriate from the VMC Built Form Guidelines;
 - supporting studies, including natural environmental, servicing and stormwater drainage, soils, traffic, conservation and slope stability;
 - a 'master concept plan' to illustrate how individual sites will be integrated with the surrounding properties public and private properties in relation to access, road network and phasing where proposed; and
 - the amount and distribution of permitted uses
- 7. Prior to any site plan approval, Architectural Control Guidelines shall be approved to the satisfaction of the City and shall be in accordance with the approved Urban Design Guidelines for the subject lands.

On behalf of ZZEN and GPG we recommend the subject lands be "Station Precinct" and the inclusion of a specific policy to deal with the subject lands in the VMC Secondary Plan for the following reasons;

- The subject lands are located at the intersection of Jane Street and Highway 7 which is a prominent intersection in the heart of the proposed VMC;
- The subject lands are in private ownership and are capable of a significant development;
- 3. The subject lands are located within the *Urban Growth Centre* boundary (as identified on Schedule A Vaughan Metropolitan Centre Boundaries)
- The lands are located within a 5 minute walking radius of the proposed subway station (as identified on Schedule B – Transit Network);
- The lands are located within a 5 minute walking radius of the proposed Viva Station (as identified on Schedule B – Transit Network);
- 6. The lands are located adjacent to the potential Jane Street rapid transit station at Jane Street and Highway 7;
- 7. The development of the subject lands would provide for good connectivity from the Royal Empress Gardens Ltd. (subject to proposed Policy 9.2.3) development to the main downtown area and subway station;
- The Royal Empress Gardens Ltd. project is approved with a subdivision and site specific zoning;
- Our clients are currently preparing to submit development applications for the subject lands in accordance with the approved pre-application consultation understanding executed with City staff;
- A unique approach to the proposed development standards will ensure that an appropriate development on this unique site is constructed that is compatible with

- the adjoining Royal Empress Gardens Ltd. development to the east and the downtown core situated to the west;
- The anticipated urban form will maximize development potential and will support the vision for the development of the Station Precinct in the VMC;
- 12. The proposed development is based upon the VMC's vision and principles of being transit oriented, walkable, accessible, diverse, vibrant, green, beautiful, having the greatest density of buildings and people in the City, and be complementary to the storm water pond and Black Creek;

We believe that the highest and best use for these lands is our proposed development which will utilize the VMC's existing and proposed infrastructure.

We would request your positive consideration of our submission matter and would be pleased to discuss the matter further.

Yours truly,

Weston Consulting Group Inc.

Per:

Ted Cymbaly, BES, OPPI, RPP

Senior Associate

Cc: Mr. Mauro Peverini, City of Vaughan

Ms. Diana Birchall, City of Vaughan

Ms. Sandra Yeung Racco, Councilor

Mr. John Zipay, Commissioner of Planning

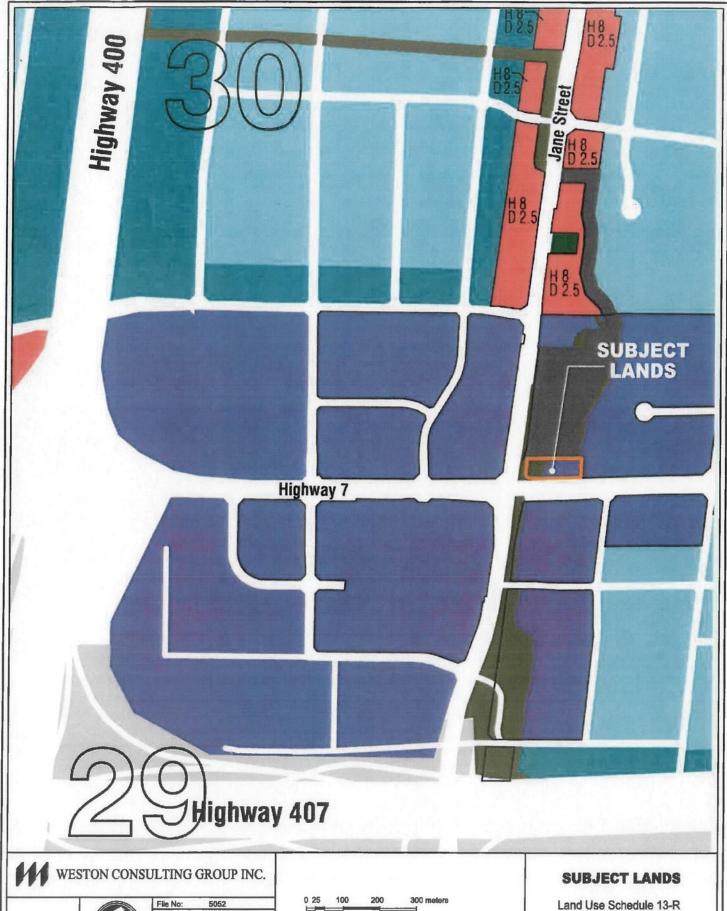
Mr. Tim Smith, Urban Strategies

Mr. Joseph Sgro, ZZEN Group of Companies Ltd.

Mr. Sam Sperenza, ZZEN Group of Companies Ltd.

Mr. Peter Cipriano, Gold Park Group

Mr. Eddy Chan, Gold Park Group



Date Drawn: 10 MAY 2010 Drawn By: mh TC Planner: Scale: See Scale Bar

CAD File: 5052/schedules/sched R-13 May10_10.dgn

Land Use Schedule 13-R Draft Official Plan City of Vaughan April 2010





WESTON CONSULTING GROUP INC.



5052 Date Drawn: 06 MAY 10 mh TC

Scale: See Scale Bar

CAD File: 5052 /Airphoto/Airphoto with overlays May 05_10.dgn

LEGEND



SUBJECT LANDS

Air photograph from First Base Solutions April 2007



AIR PHOTOGRAPH

GOLD PARK AND ZZEN GROUP JANE STREET AND HIGHWAY 7 CITY OF VAUGHAN

SOUTH ELEVATION



SCHEDULE G > LAND USE PRECINCTS

LEGEND

station precinct

south precinct

neighbourhood precincts

technology precincts

special study areas A (west) and B (east) (See Policies 4.3.9, 8.1.13 and 8.4.3)

major parks and open spaces





WESTON CONSULTING GROUP INC.



	File No:	5052
	Date Drawn:	11 JUNE 10
	Drawn By:	SM
	Planner:	TC
	Scale:	See Scale Bar
CAD File: 4054 VI	AC SCHEDULE	Attachment 1.dgn

LAND USE PRECINCTS

Land Use Schedule G LAND USE PRECINCTS DRAFT VMC PLAN City of Vaughan MAY 21, 2010



WESTON CONSULTING GROUP INC.

'Land Use Planning Through Experience and Innovation'

February 25, 2011 File No. 5052-1

Mr. Bryan Tuckey
Commissioner of Planning
Regional Municipality of York
17250 Yonge Street,
4th Floor
Newmarket, ON
L3Y 6Z1

ATTENTION: Mr. Bryan Tuckey

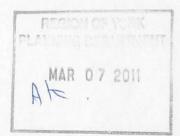
Dear Sir:

Re: City of Vaughan Official Plan

2938 Highway 7

Northeast Corner of Jane Street and Highway 7

City of Vaughan



Weston Consulting Group Inc. ("WCGI") is the planning consultant for Midvale Estates Ltd. (Gold Park Group), being the owners of the property identified above. The subject lands are located within the Vaughan Metropolitan Centre ("VMC") as identified in the adopted City of Vaughan Official Plan (2010) (see attached Schedule "A").

The purpose of this submission is to object to the provisions of the adopted City of Vaughan Official Plan and Vaughan Metropolitan Centre Secondary Plan (September 2010), as they relate to the subject lands. The submission also requests that the subject lands be included within the "Station Precinct" of the adopted Vaughan Metropolitan Centre Secondary Plan. The subject lands should also be exempt from the proposed development standards including; height, density, dwelling units ratio and other standards. This submission follows up from the submissions circulated to the City of Vaughan on December 7th 2009 and July 5th 2010 from WCGI with respect to the subject lands.

It is our view that the development of the site should not be limited by any maximum specific height and/or density requirement in the VMC Secondary Plan. It is our view that the site should accommodate the maximum development potential subject to the GTAA and NAV Canada requirements, and any physical, servicing, environmental, and traffic constraints on the site. This should be determined through the detailed Zoning By-law Amendment process.

It is our opinion that the subject lands should be included within the "Station Precinct" identified on Schedule G (Land Use Precincts) of the adopted Secondary Plan, and be

Since 1981

Vaughan Office:

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

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

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

included as a site specific policy within the adopted VMC Secondary Plan. The site specific policy proposed for the subject lands is set out within the submission to the City of Vaughan dated July 5th 2010 (see attached Schedule "B"). We submit that the establishment of this designation on the subject lands will not remove any existing permissions.

We would request your positive consideration of our submission and would be pleased to discuss this matter further.

Yours truly,

Weston Consulting Group Inc.

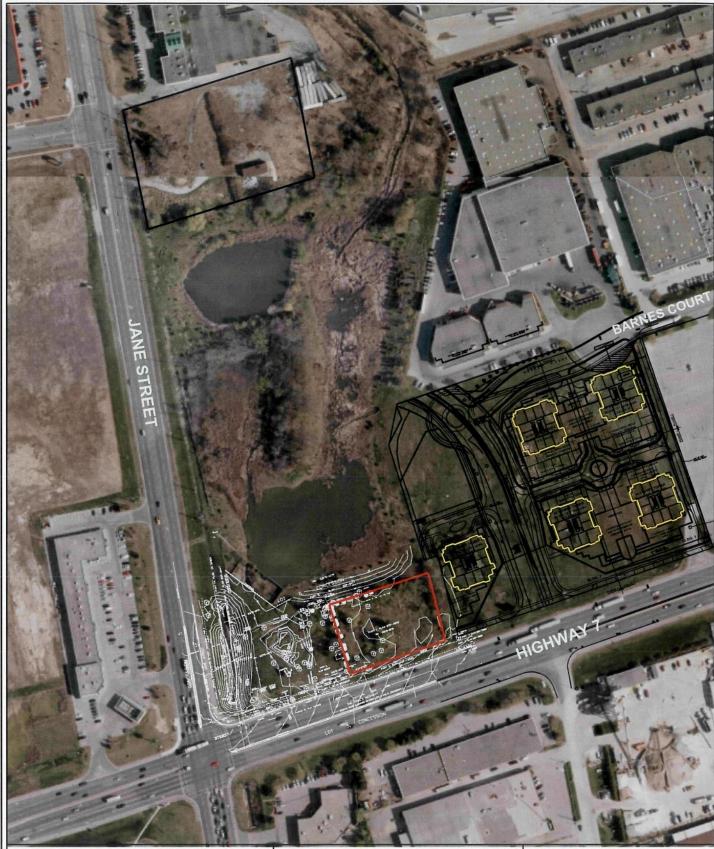
Per:

Ted Cymbaly, BES, OPPI, RPP Senior Associate

Cc:

John Zipay, City of Vaughan Diana Birchall, City of Vaughan Grant Uyeyama, City of Vaughan Bill Fisch, Region of York

Bill Fisch, Region of York Jack Wong, Gold Park Group





WESTON CONSULTING GROUP INC.



		File No:	5052
		Date Drawn:	06 MAY 10
		Drawn By:	mh
		Planner:	TC
		Scale:	See Scale Bar
CAD File:	5052 /Airphoto/Airp	hoto with overlay	s May 05_10.dgn

LEGEND



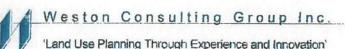
SUBJECT LANDS



AIR PHOTOGRAPH

GOLD PARK

JANE STREET AND HIGHWAY 7 CITY OF VAUGHAN



July 5, 2010 File No. 5052

City of Vaughan Policy Planning and Urban Design 2141 Major Mackenzie Drive Vaughan, Ontario L6A 1T1

ATTENTION: Clerk's Department

Dear Sir:

Re: File # VMC - 25.2.12.1

2966, 2978, and 2986 Highway 7

Northeast Corner of Jane Street and Highway 7

City of Vaughan

MAR 0 7 2011

Weston Consulting Group Inc. (WCGI) is the planning consultant for ZZEN Group of Companies Ltd. ("ZZEN") and Gold Park Group ("GPG"), being the owners of the properties identified above.

The subject lands are located within the proposed Vaughan Metropolitan Centre ("VMC") (see attached schedule "A"). The westerly property is under the ownership of ZZEN henceforth referred to as the "west parcel". The easterly property is owned by GPG henceforth referred to as the "east parcel".

The purpose of this submission is to request the subject lands be included within the "Station Precinct" of the draft Vaughan Metropolitan Centre Secondary Plan (see attached context plan). The subject lands should also be exempt from the proposed development standards including; height, density, dwelling units ratio and other standards. This action is required to facilitate the proposed appropriate development of the site. The submission follows up from the submission circulated to the City of Vaughan on December 7th 2009 with respect to the subject lands.

Following the December 7th 2009 submission to the City, the ZZEN and GPG have moved the proposed development project forward on the subject lands. A formal pre-application consultation meeting was held with City staff on May 21st 2010. During this meeting WCGI discussed the proposed development of the lands and presented to City staff the existing

plans for the development of these lands. At this time the proposed development consisted of; two 40-storey point towers joined by a common interconnecting podium (see attached elevation illustration). The proposed podium is four stories in height. Please find a copy of the preliminary development concept attached. A Pre-application Consultation Understanding was executed at this meeting by WCGI and the City of Vaughan that details the project application requirements.

The height and density associated with the proposed development is based upon the realization of maximum land development potential for the site. It is our view that the development of the site should not be limited by any maximum specific height and/or density requirement in the VMC Secondary Plan. The maximum land development potential in addition to the Greater Toronto Airport Authority maximum height requirements will determine the form of the development and the upper limits with respect to height and density.

It is our opinion as shared by our clients that the subject lands should be included within the "Station Precinct" identified on Schedule G (Land Use Precincts) of the draft Secondary Plan, and be included as a site specific policy within the proposed VMC Secondary Plan (see attached Schedule). The site specific policy will also include site specific built form policies.

The proposed site specific policy is set out below;

- 8.2. _____
 Notwithstanding the policies of the Station Precinct and the policies of 8.6 Built Form, the development of the subject lands identified on schedule ____ shall be according to the following:
 - 1. Permitted uses shall be according to policy 8.2.2
 - Except where exempted by this specific policy, such development shall generally be consistent with achieving the objectives of the Vaughan Metropolitan Centre as outlined in policy 2.0 Vision and Principles and 3.0 Objectives
 - Any development shall be comprehensively planned to integrate with the lands to the east, the vision for Avenue 7, and have regard for the planned improvements to the Black Creek tributary, the stormwater retention pond and the lands on west side of Jane Street.
 - 4. The maximum height and density shall be established in the zoning bylaw applicable to the lands within the subject area based on supporting studies and analysis acceptable to the City and may exceed those identified on Schedule J where appropriate.
 - It is an objective that the amount of parking shall reflect the City's desire for increased transit usage. Supporting traffic analysis will be required to justify any reductions or changes to existing parking standards which may be applicable.

- 6. Prior to any rezoning application approval which will permit an intensified development, the following shall be approved to the satisfaction of the City;
 - urban design studies and Urban Design Guidelines for the subject lands, including matters to support the height, density, built form and massing, pedestrian and bicycle movement and which may be varied as deemed appropriate from the VMC Built Form Guidelines;
 - supporting studies, including natural environmental, servicing and stormwater drainage, soils, traffic, conservation and slope stability;
 - a 'master concept plan' to illustrate how individual sites will be integrated with the surrounding properties public and private properties in relation to access, road network and phasing where proposed; and
 - · the amount and distribution of permitted uses
- 7. Prior to any site plan approval, Architectural Control Guidelines shall be approved to the satisfaction of the City and shall be in accordance with the approved Urban Design Guidelines for the subject lands.

On behalf of ZZEN and GPG we recommend the subject lands be "Station Precinct" and the inclusion of a specific policy to deal with the subject lands in the VMC Secondary Plan for the following reasons;

- The subject lands are located at the intersection of Jane Street and Highway 7 which is a prominent intersection in the heart of the proposed VMC;
- The subject lands are in private ownership and are capable of a significant development;
- The subject lands are located within the Urban Growth Centre boundary (as identified on Schedule A – Vaughan Metropolitan Centre Boundaries)
- The lands are located within a 5 minute walking radius of the proposed subway station (as identified on Schedule B – Transit Network);
- The lands are located within a 5 minute walking radius of the proposed Viva Station (as identified on Schedule B – Transit Network);
- The lands are located adjacent to the potential Jane Street rapid transit station at Jane Street and Highway 7;
- 7. The development of the subject lands would provide for good connectivity from the Royal Empress Gardens Ltd. (subject to proposed Policy 9.2.3) development to the main downtown area and subway station;
- The Royal Empress Gardens Ltd. project is approved with a subdivision and site specific zoning;
- Our clients are currently preparing to submit development applications for the subject lands in accordance with the approved pre-application consultation understanding executed with City staff;
- A unique approach to the proposed development standards will ensure that an appropriate development on this unique site is constructed that is compatible with

- the adjoining Royal Empress Gardens Ltd. development to the east and the downtown core situated to the west;
- The anticipated urban form will maximize development potential and will support the vision for the development of the Station Precinct in the VMC;
- 12. The proposed development is based upon the VMC's vision and principles of being transit oriented, walkable, accessible, diverse, vibrant, green, beautiful, having the greatest density of buildings and people in the City, and be complementary to the storm water pond and Black Creek;

We believe that the highest and best use for these lands is our proposed development which will utilize the VMC's existing and proposed infrastructure.

We would request your positive consideration of our submission matter and would be pleased to discuss the matter further.

Yours truly,

Weston Consulting Group Inc.

Per:

Ted Cymbaly, BES, OPPI, RPP

Senior Associate

Cc: Mr. Mauro Peverini, City of Vaughan

Ms. Diana Birchall, City of Vaughan

Ms. Sandra Yeung Racco, Councilor

Mr. John Zipay, Commissioner of Planning

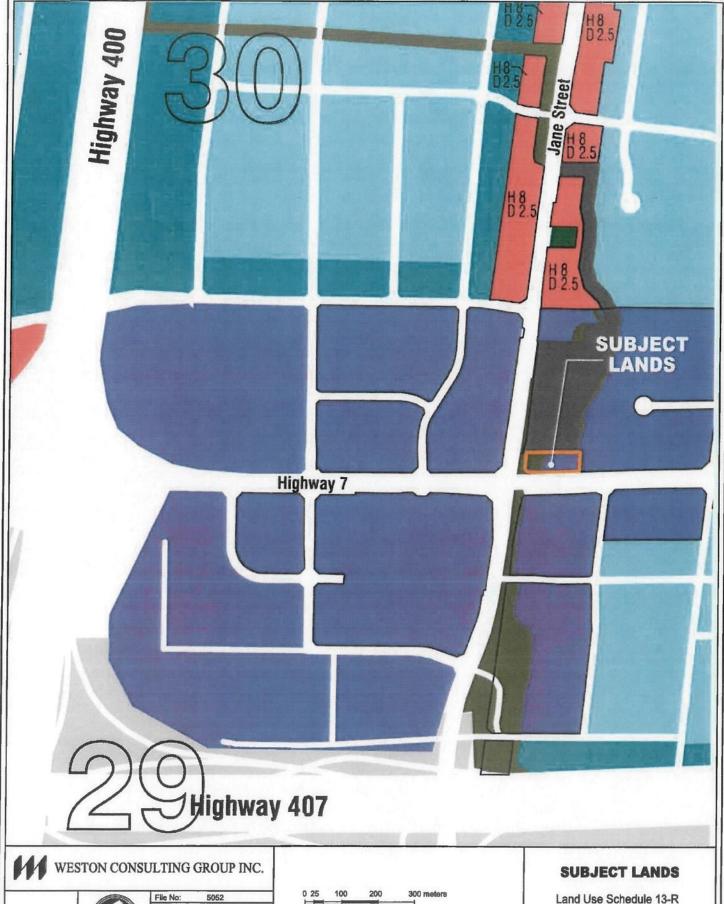
Mr. Tim Smith, Urban Strategies

Mr. Joseph Sgro, ZZEN Group of Companies Ltd.

Mr. Sam Sperenza, ZZEN Group of Companies Ltd.

Mr. Peter Cipriano, Gold Park Group

Mr. Eddy Chan, Gold Park Group





File No:	5052	
Date Drawn:	10 MAY 2010	
Drawn By:	mh	
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Land Use Schedule 13-R Draft Official Plan City of Vaughan April 2010





WESTON CONSULTING GROUP INC.



File No:	5052
Date Drawn:	06 MAY 10
Drawn By:	mh
Planner:	TC
Scale:	See Scale Bar

CAD File: 5052 /Airphoto/Airphoto with overlays May 05_10.dgn

LEGEND



SUBJECT LANDS

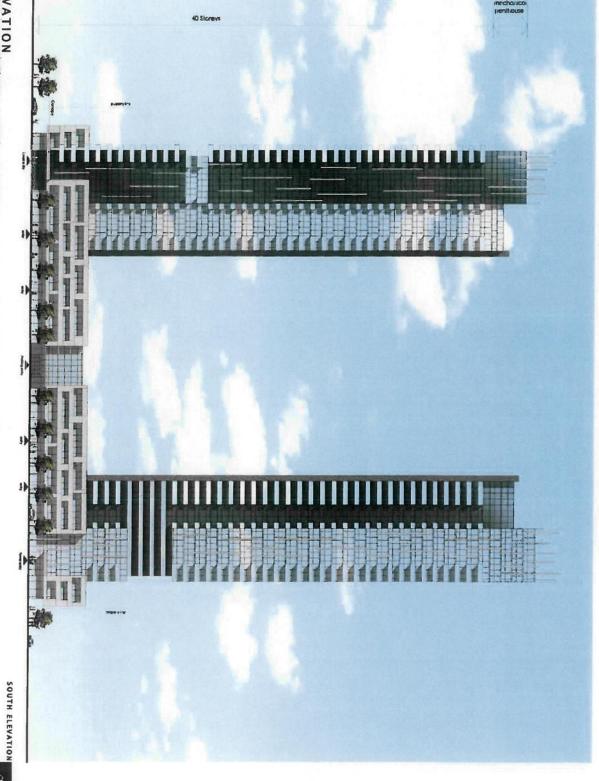


Site Plan of 7 City Centre from Kirkor Architecte & Planners, August 05, 2006

AIR PHOTOGRAPH

GOLD PARK AND ZZEN GROUP

JANE STREET AND HIGHWAY 7 CITY OF VAUGHAN



1:600

SCHEDULE G > LAND USE PRECINCTS

LEGEND

station precinct

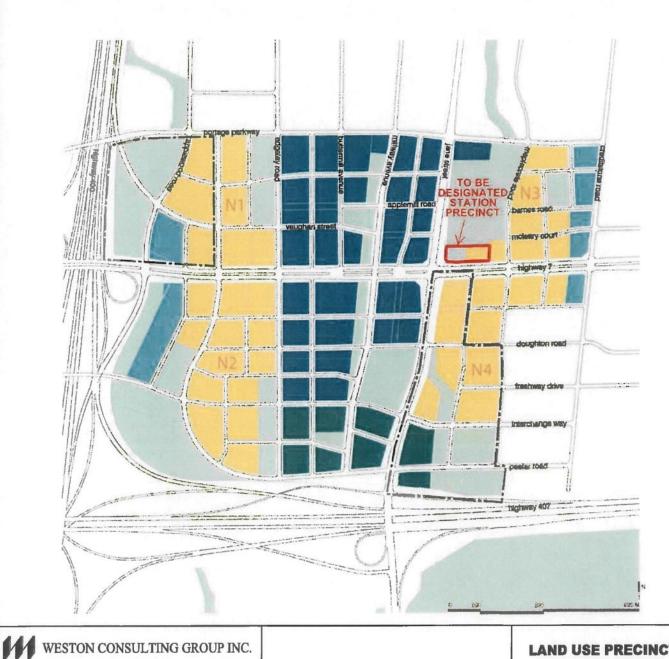
south precinct

neighbourhood precincts

technology precincts

special study areas A (west) and B (east) (See Policies 4.3.9, 8.1.13 and 8.4.3)

major parks and open spaces







	File No:	5052
	Date Drawn:	11 JUNE 10
	Drawn By:	SM
	Planner:	TC
	Scale:	See Scale Bar
CAD File: 4054 VI	MC SCHEDULE	Attachment 1.dgn

LAND USE PRECINCTS

Land Use Schedule G LAND USE PRECINCTS DRAFT VMC PLAN City of Vaughan MAY 21, 2010



IBI Group 5th Floor-230 Richmond Street West Toronto ON M5V 1V6 Canada

tel 416 596 1930 fax 416 596 0644

February 15, 2011

City of Vaughan 2141 Major Mackenzie Drive Vaughan, ON L6A 1T1 A Maria Commission of the Comm

Attention: Mayor and Member of Council

DRAFT VAUGHAN METROPOLITAN CENTRE SECONDARY PLAN AND DRAFT CITY OF VAUGHAN OFFICIAL PLAN COMMENTS ON BEHALF OF NORAK STEEL CONSTRUCTION LIMITED

On July 6, and July 26, 2010, IBI Group provided comments on the Draft Vaughan Metropolitan Secondary Plan and the Draft City of Vaughan Official Plan on behalf of Norak Steel Construction Limited. Norak Steel is owner of a 4 acre (1.6ha) property at 44 Creditstone Road, bounded by Maplecrete Road to the west, Peeler Road to the south, and Creditstone Road to the east.

These lands are currently within the Vaughan Corporate Centre Secondary Plan Area (OPA 500) but have been excluded from the proposed Vaughan Metropolitan Centre (VMC) Secondary Plan. In previous submissions our client requested that the boundary of the VMC be re-adjusted further east to re-incorporate our client's lands.

In August 2010, IBI Group had an opportunity to discuss the issue with your consultants and staff. In the Staff Report for August 31, Committee of the Whole (Item 202), Staff recommended against having the Norak Steel lands remain within the Secondary Plan boundary. However, it remains unclear as to what background study justifies this exclusion.

It was noted that Staff recommended adding a policy that "acknowledges the long term potential of the VMC to expand to the east and north beyond the boundaries identified..." While our client is partially supportive of this change they continue to submit that it is unclear as to the rationale for the revised boundary.

Since the first identification of the Vaughan Corporate Centre, our client has been under the understanding that the City's goal for the SE quadrant of the VCC was to see it redevelop and become part of the City's "downtown". While our client has continued to operate the existing business successfully in this area, the long-term intent has been consistent with the City's goals.

While the rationale and background justification remains unknown for this policy change, it is clear that the City wishes to redesign the VMC with a new boundary. Our client submits that should the City wish to shift the lands to a longer term redevelopment horizon then the City should make the existing land use permission more supportive for the continuation of the existing use and potential redevelopment to another similar type use.

At present, our client's property has a number of legal non-conforming land use permissions that recognize the longevity of the current operation and its continued importance to this industrial area. Part of these permissions includes the right for outdoor storage notwithstanding being on a corner lot. The adopted City of Vaughan Official Plan and the existing zoning by-law do not permit outdoor storage on a corner lot. Given that many of the existing land use permissions on our clients' lands will expire with any change in use, our clients submit that it would be appropriate to maintain the existing range of uses and recognize the existing outdoor storage

Clerks Department - February 15, 2011

permission. This recognition would allow the property to continue to be a viable general industrial property until such time as the VMC is once again expanded to include our client's land.

To be clear, our client would prefer to be within the VMC boundary and enjoy the redevelopment permissions associated with the new developing downtown. However, if the intent of the City is to move this area to a timeframe beyond the reach of this plan, our client would like the recognition of the existing non-conforming rights in order that the property can remain a viable general industrial redevelopment option.

We trust the foregoing is in order and thank you for your consideration in this matter. We would be pleased to meet with your staff and consultants to discuss this matter further.

Yours truly

IBI GROUP

Jay Claggett Director

JC:kg

cc.

1

City of Vaughan – Policy Planning Region of York – Augustine Ko Norak Steel



IBI Group 5th Floor-230 Richmond Street West Toronto ON M5V 1V6 Canada

tel 416 596 1930 fax 416 596 0644

February 15, 2011

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

Attention: Mayor and Members of Council

NEW VAUGHAN OFFICIAL PLAN VAUGHAN METROPOLITAN CENTRE SECONDARY PLAN FILE # OP.25.1

On behalf of Toromont Industries, IBI Group is pleased to provide the following comments regarding the Vaughan Metropolitan Centre (VMC) Secondary Plan. Toromont Industries are the owners of the lands at 3131 Highway 7, in the Southwest Quadrant of Highway 7 and Jane Street. The lands are currently used for a construction equipment dealership.

As a significant land owner in the Vaughan Metropolitan Centre, Toromont has an interest in ensuring that the Secondary Plan both recognizes the existing operation, while providing for the logical and marketable redevelopment of their lands as a central component of the Vaughan Downtown. As you are aware, Toromont Industries have been fully engaged throughout the Vaughan Secondary Plan Process. Previous comments have highlighted their general support for the vision and land use direction that has emerged for the area. They have also identified a number of issues with the policies in the plan. While some of these issues have been addressed, many remain unresolved in the Secondary Plan that was Council adopted on September 7, 2010.

Outstanding Issues

Our client remains concerned with a number of aspects of the VMC Secondary Plan that have the potential to impede the redevelopment of their Highway 7 property, or unnecessarily restrict projects that will optimally contribute to the core area of Vaughan's downtown. Where policy restrictions are linked to unproven market assumption, the lack of lack of background information creates significant apprehension. Finally our client has identified areas where onerous development standards or unspecified requirements have the potential to impact the viability of quality projects within the VMC.

Streets and Transportation Policies

Toromont continues to be concerned with the road network that has been developed for the Vaughan Metropolitan Centre. These concerns were raised in previous correspondents and discussed with staff and project consultants in early August. At the time of the meeting it was expected that the Transportation Master Plan would be released imminently, allowing for our review of the rationale for the proposed street pattern, connections, and road sizing. It is our understanding that the Transportation Master Plan has not yet been released for public review, nor has its finding been presented to Council. Without the release of this document, our clients remain concerned that the proposed road network will not adequately address the traffic issues of the Vaughan Metropolitan Centre.

City of Vaughan - February 15, 2011

The Interchange/Colossus Drive Highway 400 Flyover represents an example of a significant infrastructure investment that has yet to be justified through supporting studies. In addition to wanting to understand the impact of this proposed road connection, Toromont also seeks clarification that expenditures related to this project will fall into a City or Regional-Wide Development charge, rather than solely a local area contribution.

Our client has a specific concern with respect to the Road Network as illustrated on Schedule C. There remains the question as to why the major N-S road, currently planned adjacent to the transit right-of-way cannot be located on top of it. We understand from speaking with the TTC that there is no restriction to the road being located on top of this right-of-way. In addition, the grid that is proposed on our client's land does not take into consideration the existing development that abuts the property. The proposed road pattern would result in a number of irregular remnant lots with little development potential. Policies in the plan should be revised to allow for flexibility in establishing the grid, and for pedestrian connections rather than vehicular connection, where appropriate.

Density and Height

Toromont is concerned with the manner that density and height has been applied to their lands. The Highway 7 frontage of their property has been unnecessarily split between two height/density categories. Given, their central location within the VMC and their proximity to the subway station, our client believe that the Plan's higher height and density range should be applied to the entire site.

Office Requirement

Our client has considerable concern with the mandated imposition of a 35% Office Development Requirement on a portion of their lands. While generally supportive to introduce mixed use development to the VMC, the market for office potential in this area remains unknown and to establish arbitrary limits is unreasonable and may significantly impact development timeframes. It is noted that no market studies were released to justify the 35% office requirement.

Our client submits that the inclusion of office development targets may be appropriate across the entire VMC; however to identify specific targets for individuals blocks is too restrictive and may simply result in major holes in the overall development of the VMC.

Parkland

Our client believes that a reduced Parkland dedication rate should be established for the Vaughan Metropolitan Centre. The VMC Secondary Plan parkland policies seem at odds with other VMC policies that promote intensification. The policy remains at a standard suburban parkland level and fails to consider the realities of urban core development.

The imposition of standard parkland dedication rates will have a direct impact on the affordability of residential development within the VMC. The proposed rates are so high that they will undoubtedly impact the feasibility of many potential projects in the VMC, and in turn impact the pace in which the Vaughan's Downtown develops.

Our client's would request that the City consider reviewing and implementing policies that will allow the VMC to compete fairly with other urban centres such as the City of Toronto and Town of Markham, both of which have reduced and/or "capped" parkland dedication requirements. These communities have benefited from attracting new development and significant parkland and cash-in-lieu contributions.

City of Vaughan - February 15, 2011

Developers Agreement

Our client continues to have concerns with the policies related to Landowners' and Development Agreements (10.7). Similar to the Plan's approach to parkland, the VMC Secondary Plan appears to take a 'greenfield" development approach to "downtown" development through the requirement of a Landowners' and Development Agreements (10.7). The nature of land development within the VMC will be very different from a traditional greenfield 'block' plan, where the majority of landowners have common development goals and typically share a similar build-out schedule.

A successful downtown will develop over time, incrementally and it will not be a one-size fits all approach. The requirement for a comprehensive development agreement will be onerous to implement and very difficult to maintain over the long-term development of the VMC.

While it is fully recognized that some infrastructure requirements will benefit owners throughout the VMC, these items should be dealt with through a Development Charges By-law not a Developer's Agreement. The VMC boundary contains a number of existing successful businesses that may or may not redevelop in the short or even mid-term; the ultimate build out of the VMC will be achieved incrementally and over a long period of time. It is questionable as to whether a standard "development agreement" approach for the VMC can effectively and fairly share the cost burdens of development amongst existing or future landowners.

Urban Design

Our client is concerned by the highly prescriptive natures of the Urban Design policies within the VMC Secondary Plan. It appears clear from the prescriptive design polices that the VMC Secondary Plan policy framework is attempting to achieve a certain type of design. However, our client's submit that the policies are unnecessarily restrictive and will create an unwarranted uniformity to design. Once again, a quick review of downtowns elsewhere show that creative and lively urban centres are often achieved through eclectic design that has occurred over time. A downtown is not achieved overnight and while design standards are appropriate to guide development, they should be sufficiently flexible to permit variations in design that both respond to market conditions, but also changing architectural and urban design standards and tastes.

It is our client's belief that an appropriate approach would be to implement Urban Design objectives through guidelines, rather that the regulated approach that has been taken in the adopted Secondary Plan. Development proposals that are consistent with the vision of the Secondary Plan should be allowed without requiring an Official Plan Amendment to proceed.

Conclusion

Our client has been a long serving business within the City of Vaughan. While our client's remain optimistically confident about the emerging vision for the VMC, it is essential that the policies put into place not only create the desired "design" but are supportive of redevelopment by being flexible and marketable. Our client strongly encourages the City to release the background documentation that was prepared in support of these adopted Official Plans.

City of Vaughan - February 15, 2011

We look forward to continuing to work with both City and Regional Staff to discuss the foregoing matters in more detail and work towards a resolution that would see our client fully supporting and endorsing the City's new direction for the VMC. Thank you.

Yours truly, IBI GROUP

Jay Clagge

cc:

Toromont Industries

City of Vaughan - Policy Planning

Region of York - Policy Planning: Augustine Ko



IBI Group 5th Floor – 230 Richmond Street West Toronto ON M5V 1V6 Canada

tel 416 596 1930 fax 416 596 0644

Febraury 15, 2011

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

Attention: Mayor and Members of Council

NEW VAUGHAN OFFICIAL PLAN

VAUGHAN METROPOLITAN CENTRE SECONDARY PLAN FILE # OP.25.1

IBI Group is pleased to provide additional written comments on the Official Plan and Vaughan Metropolitan Centre (VMC) Secondary Plan on behalf of 2748355 Canada Inc. (owners of the Interchange lands located within area bounded by Highway 400, 407, 7 and Jane Street). The lands include vacant parcels, as well as leased properties/buildings with a range of retail, office and light industrial tenants. Municipal addresses associated with the lands holdings include 7540 Jane Street, 101 Exchange Blvd. and 30, 50, 55, 60, 70, 80, 90 and 300 Interchange Way.

As you are aware, the owners of the Interchange have been fully engaged throughout the City of Vaughan Official Plan update and the new Vaughan Metropolitan Centre Secondary Plan process. While in previous policy comments they have remained encouraged by the vision and overall land use direction for the area, there remains significant issues related to the Secondary Plan and Official Plan that remain unresolved. This submission is regarding the Official Plan and VMC Secondary Plan which were adopted by Council on September 7, 2010.

Prior to the adoption of the two documents, IBI Group made submissions and met with your staff and consultants. It is noted that while some of the issues were resolved there remains many issues that were either not addressed or background information was never made public that justified the staff and consultant recommendation, and ultimately Council adoption.

Outstanding Issues

Our client remains concerned that the VMC Secondary Plan has little in the form of transitional policies, contains a number of provisions and policies that impose unwarranted restrictions on new development and generally limits our client's ability to respond to market conditions and demands. Other policies impose onerous prescriptive standards that add costs and complexity to the development process. While these issues have been continually mentioned, we submit that the adopted documents do not reflect the realities of the development timelines necessary for the built out of a "downtown".

In order to be effectively implemented the VMC Secondary Plan must have:

- sufficiently flexibility to respond to market conditions;
- transitional policies that permit the natural growth tendencies of a downtown;
- development costs (fees and standards) that are competitive to other GTA centres;
- maximum clarity with respect to obligations and timing; and
- administrative and processing approaches that allows for timely approvals for specific development proposals.

City of Vaughan, Clerks Department - Febraury 15, 20111

As one of the largest landowners within the VMC, our client would like to be part of the City's vision for the new Vaughan 'downtown'. It would like to work in partnership with the City in order to create an attractive, marketable and successful VMC. To this end, our client's submit that the following issues need to be addressed prior to their supporting these new documents for the City of Vaughan.

Transition Policies:

The limited transition policies found in OPA 500 have been eliminated while at the same time as the policies that limit interim development have been increased. The VMC Secondary Plan includes phasing policies that limit growth to the 'core area' which causes a concern of the viability of the densities and minimum targets in the short (5-10 years) timeframe.

In addition, a 'downtown' is not created overnight. A quick study of major urban centres across Canada and the United States demonstrate that a healthy and marketable downtown evolves over time and includes policies that transition land from one land use and density to another as the market is created. It is generally recognized that large tracts of undeveloped and dormant land within a downtown does not promote the appropriate environment for development. While it is recognized that the arrival of the TTC Subway and the eventual VIVA BRT will greatly increase the viability and marketability of the VMC, these in themselves will not make the new Vaughan 'downtown'.

Our client is seeking specific, workable transition and phasing policies that will allow for initial levels of development that may not immediately meet some of the policies requirements but do not preclude them and will ultimately lead towards their long-term achievement.

Loss of Non-Residential Uses on Interchange Lands

The current land use schedule places a significant portion of the Interchange lands into a Neighbourhood Designation that permits only limited non-residential development and effectively precludes office and other non-residential development. This represents a significant shift in land use direction for lands that have had office permission in various forms for more than 30 years dating back to OPA 320. Since acquiring the lands, our client's have been pursing high quality corporate tenants for these properties; this continues to be one of their major objectives for these lands.

In addition, polices that direct minimum office space to specific areas within the VMC will prove to be difficult to implement and the rational for this mandating type policy remains unclear. While it is recognized and supported that a healthy downtown requires a mixture of land uses, the distribution of these land uses within the downtown should be flexible enough in order to permit landowners to best position the land uses to meet market demand.

The value of restricting office development within the Neighbourhood Designation is unclear. The goal of the VMC should be based upon an integrated mixed use downtown. Office development and medium and high-rise forms of residential development have proven themselves to be compatible in downtown environments across North America. Our client continues to believe that removing the office permission will restrict their (and Vaughan's) ability to compete for corporate tenants in the Regional marketplace.

Urban Growth Centre Boundary Policies

The rationale for the proposed "urban growth centre boundary" within the VMC appears arbitrary and may ultimately result in large tracts of the VMC remaining vacant for long periods of time. Our client is concerned that while a significant portion of their lands outside the UGC boundary are designated for residential development; the phasing policies will effectively freeze these parcels for an unknown period of time. Couple this with the above mentioned lack of transitional

City of Vaughan, Clerks Department - Febraury 15, 20111

polices and the result will be vast tracts of land that will do little to support the overall growth of the VMC.

As there was no background study made public to support these policies or the rationale for the boundary and target number then the overall policy intent remains unclear.

Streets and Transportation policies

In our meeting with the City Staff and consultants, the transportation network and the traffic study to support it was a major issue for our client. At the time of the meeting in early August, our client was advised that a traffic study would be released imminently. We note that within the City Staff report, reference to this study was often made to justify and dismiss concerns related the street network and associated traffic policies. However, at the time of Council adoption of the two amendments, it is our understanding that the traffic study was only in "Draft" and that City and Regional Staff had not yet completed their review. To date, this study has yet to be released for review and the status is unknown.

While it is noted and appreciated that minor changes were made in the document following our meeting, our client continues to have concerns that the road pattern does not reflect existing development, is too rigid and provides little to no flexibility for development over time. As no traffic study was issued to support the need for this network, it can only be assumed that the rationale for the pattern is based solely on undefined urban design concepts rather than transportation planning principles.

As part of the overall street pattern, both the City Official Plan and the VMC Secondary Plan has identified a "flyover" requirement south of Highway #7. In our meeting with staff the rationale of this flyover was questioned and the design impact was also raised. While staff agreed to provide both the rationale and a design cross section for the flyover in order for our client to better understand the impact, both were never provided. The need for this significant piece of infrastructure must be better understood and the impact to our client's land must be made clear.

Parkland

The VMC Secondary Plan parkland policies seem at odds with the remaining VMC policies that promote the intensification of the VMC. The policy remains at a standard suburban parkland level and fails to consider the realities of urban core development.

The imposition of standard parkland dedication rates will have a direct impact the affordability of residential development within the VMC. The proposed rates are so significant that they will undoubtedly impact the feasibility of many potential projects in the VMC, and in turn impact the pace in which the Vaughan's Downtown develops.

Our client's would request that the City consider reviewing and implementing policies that will allow the VMC to compete fairly with other urban centres such as the City of Toronto and Town of Markham, both of which have reduced and/or "capped" parkland dedication requirements. These communities have benefited from attracting new development and significant parkland and cash-in-lieu contributions.

Developers Agreement

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IBI Group

City of Vaughan, Clerks Department - Febraury 15, 20111

A successful downtown will develop over time, incrementally and it will not be a one-size fits all approach. The requirement for a comprehensive development agreement will be onerous to implement and very difficult to maintain over the long-term development of the VMC.

While it is fully recognized that some infrastructure requirements will benefit owners throughout the VMC these items should be dealt with through a Development Charges By-law not a Developer's Agreement. The VMC boundary contains a number of existing successful businesses that may or may not redevelop in the short or even mid-term; the ultimate build out of the VMC will be achieved incrementally and over a long period of time. It is questionable as to whether a standard "development agreement" approach for the VMC can effectively and fairly share the cost burdens of development amongst existing or future landowners.

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It appears clear from the prescriptive design polices that the VMC Secondary Plan policy framework is attempting to achieve a certain type of design. However, our client's submit that the policies are unnecessarily restrictive and will create an unwarranted uniformity to design. Once again, a quick review of downtowns elsewhere show that creative and lively urban centres are often achieved through eclectic design that has occurred over time. A downtown is not achieved overnight and while design standards are appropriate to guide development, they should be sufficiently flexible to permit variations in design that both respond to market conditions but also changing architectural and urban design standards and tastes.

Our client's submit that the City consider an approach that would see the implementation of Urban Design objectives through guidelines, rather the regulated approach that has been taken in the adopted Secondary Plan. Development proposals that are consistent with the vision of the Secondary Plan should be allowed without requiring an Official Plan Amendment to proceed.

School Sites

Two potential school sites have been identified on the Interchange lands with a third on the IKEA lands. Our client believes that any future schools should be required to be developed at a "urban' rather than suburban standard.

Conclusion

In summary, one of the most significant issue is the seemingly lack of visibility of the background material that was generated to support the adoption of these two important Vaughan Planning documents. While our client's remain optimistically confident that the vision that Vaughan is trying to achieve within the VMC is similar to their own, they remained concerned that some fundamental policy matters remain outstanding at this time. Our client is hopefully that the release of the background documents, such as the Transportation Master Plan will allow for informed discussion that can lead to the resolution of several of matters.

City of Vaughan, Clerks Department - Febraury 15, 20111

We look forward to continuing to work with both City and Regional Staff to discuss the foregoing matters in more detail and work towards a resolution that would see our client's fully supporting and endorsing the City's new direction for the VMC. Thank you.

Yours truly

IBI GROUP

Jay Claggett Director

cc: 2748355 Canada Inc.

City of Vaughan - Policy Planning

Region of York - Policy Planning: Attn: Augustine Ko

HUMPHRIES PLANNING GROUP INC.

February 22, 2011 HPGI File: 09220

Region of York Clerks Department 17250 Yonge Street Newmarket, Ontario L3Y 6Z1

Attn:

Mr. Denis Kelly

Regional Clerk

Re:

City of Vaughan Adopted Official Plan

281187 Ontario Ltd



Humphries Planning Group Inc. is corresponding in behalf of 281187 Ontario Ltd., owners of approximately 15.1 ha of land located in Part of Lots 14 & 15, Concession 5, in the City of Vaughan.

We have provided previous correspondence to the City in response to its Official Plan review process objecting to the continued employment use designations on the subject land and support for mixed-use (residential – commercial) land uses. In response to written and verbal communications, City staff recommended that the Schedule 14-A be amended to extend the required Secondary Plan Area #3 to encompass the area bounded by Rutherford Road and Weston Road so as to include the subject land. This recommendation was supported by Council and adopted in September of 2010 as part of the new Official Plan.

It has only recently come to our attention that the City does not intend to further study this area in the context of a land use conversion (mixed-use, commercial –residential) and that only employment uses are intended per Land Use Schedule 13-N. We also understand that the secondary plan study process may not commence for this area until late this year.

In consideration of the above, 281187 Ontario Ltd, <u>continues to object</u> to the City's Official Plan as adopted. We formally request written notification of any decision the Region of York makes related to the approval of the new City of Vaughan Official Plan.

216 Chrislea Road Suite 103 Vaughan, ON L4L 8S5 Should you have any questions or require further clarification regarding this request, please contact the undersigned. We also look forward to a response from the City regarding this matter.

Yours truly,

HUMPHRIES PLANNING GROUP INC.

Rosemarie L. Humphries BA, MCIP, RPP

President

Encl.

cc. 281187 Ontario Ltd - Alex Pizzimenti

✓Mr. Bryan Tuckey, Commissioner of Planning & Development Services Region of York

 $\label{eq:mr.def} \mbox{Mr. Jeffry Abrams, City of Vaughan Clerks Dept.}$

Mr. John Zipay, Commissioner of Planning

Attachment 1 Part B: Summary of Respondents' Requests/Concerns and Staff Comments and Recommendations

Recommendation	That Schedule 14 be amended to extend the required Secondary Plan Area #3 to encompass the area bounded by Rutherford Road and Weston Roads, Highway 400 and Bass Pro Mills Drive.	Recommend that Schedules 13 and 13-P be amended to reflect the designations shown on OPA No.450 as refined by the Huntington Business Park Block Plan with the exceptions of the designations proposed for Highway No.7 and the Northwest corner of Highway No.427 and 407.
Comment	The subject lands have been recommended for inclusion on Schedule 14 for the purposes of undertaking a Secondary Plan Study for these and surrounding lands.	The subject lands are currently designated "Prestige Area" along Regional Road 50 and "Employment Area" in the interior by OPA No. 450. Consistent with the Huntington Business Park Block Plan. The lands are currently zoned C6 Highway Commercial, subject to Exception 9(394) and A Agricultural by By-law 1-88. On June 1, 2010, File: Z.07.041 (1693143 and 169144 Ontario Inc.), was considered by Council and adopted without amendment. Council recommended approval of rezoning the subject lands from C6 Highway Commercial and A Agricultural to EM2
Issue	The client is not in agreement with the land use schedule and policies related to the subject lands. Requests that the subject land be designated to accommodate mixed-uses (residential and commercial).	Request site-specific policy to recognize prior approvals.
Submission	DATE: May 26, 2010 RESPONDENT: Humphries Planning Group LOCATION: Weston Road between Rutherford Road and Langstaff Road	DATE: June 10, 2010 RESPONDENT: Weston Consulting Group Inc. LOCATION: 8151 Highway 50
Item	123	- -

HUMPHRIES PLANNING GROUP INC.

February 22, 2011 HPGI File: 09220

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

FED !

Attn:

Mr. Roy McQuillan

Re:

City of Vaughan Adopted Official Plan - 281187 Ontario Ltd

Land Use Map Schedule 13-N, and

Schedule 14-A Areas Subject to Secondary Plans

Humphries Planning Group Inc. is corresponding in behalf of 281187 Ontario Ltd., owners of approximately 15.1 ha of land located in Part of Lots 14 & 15, Concession 5, in the City of Vaughan.

We have provided previous correspondence to the City in response to its Official Plan review process (May 26th 2010) objecting to the continued employment use designations on the subject land and support for mixed-use (residential – commercial) land uses. In response to written and verbal communications, City staff recommended that the Schedule 14 be amended to extend the required Secondary Plan Area #3 to encompass the area bounded by Rutherford Road and Weston Road so as to include the subject land. This recommendation was supported by Council and adopted in September of 2010 as part of the new Official Plan.

It has only recently come to our attention that the City does not intend to further study this area in the context of a land use conversion (mixed-use, commercial –residential) and that only employment uses are intended per Land Use Schedule 13-N. We also understand that the secondary plan study process may not commence for this area until late this year.

In consideration of the above, 281187 Ontario Ltd, <u>continues to object</u> to the City's Official Plan as adopted. Further, we formally request written notification of any City of Vaughan or Region of York decisions as related to modifications or approvals for the City of Vaughan adopted Official Plan in addition to any "budget approval", consideration of

216 Chrislea Road Suite 103 Vaughan, ON L4L 8S5

T: 905-264-7678 F: 905-264-8073 "Terms of Reference", approval of "work programs", retaining of any "consultants" or any other decision for any lands located in Area 1 – Areas Subject to Secondary Plans – Schedule 14-A.

Should you have any questions or require further clarification regarding this request, please contact the undersigned. We also look forward to a response from the City regarding this matter.

Yours truly,

HUMPHRIES PLANNING GROUP INC.

Rosemarie L. Humphries BA, MCIP, RPP President

Encl.

cc. 281187 Ontario Ltd - Alex Pizzimenti

Augustine Ko, Region of York

Mr. Jeffry Abrams, City of Vaughan Clerks Dept.

Mr. John Zipay, Commissioner of Planning

Mr. Mauro Peverini

Ms. Melissa Rossi

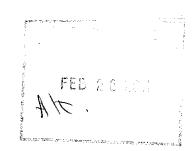
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Item	123	

HUMPHRIES PLANNING GROUP INC.

February 22, 2011 HPGI File: 09220

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



Attn: Mr. Roy McQuillan

Re:

City of Vaughan Adopted Official Plan – Anland Developments Inc.

Land Use Map Schedule 13-N, and

Schedule 14-A Areas Subject to Secondary Plans

Humphries Planning Group Inc. is corresponding in behalf of Anland Developments Inc.., owners of approximately 13.8 ha of land located in Part of Lots & 15, Concession 5.

Anland provided correspondence directly to the City objecting to the continued employment use designations on the subject land and support for mixed-use (residential – commercial) land uses. In response to written and verbal communications, City staff recommended that the Schedule 14 be amended to extend the required Secondary Plan Area #3 to encompass the area bounded by Rutherford Road and Weston Road so as to include the subject land. This recommendation was supported by Council and adopted in September of 2010 as part of the new Official Plan.

It has only recently come to our attention that the City does not intend to further study this area in the context of a land use conversion (mixed-use, commercial –residential) and that only employment uses are intended per Land Use Schedule 13-N. We also understand that the secondary plan study process may not commence for this area until late this year.

In consideration of the above, Anland, <u>objects</u> to the City's Official Plan as adopted. Further, we formally request written notification of any City of Vaughan or Region of York decisions as related to modifications or approvals for the City of Vaughan adopted Official Plan in addition to any "budget approval", consideration of "Terms of Reference", approval of "work programs", retaining of any "consultants" or any other decision for any lands located in Area 1 – Areas Subject to Secondary Plans –Schedule 14-A.

216 Chrislea Road Suite 103 Vaughan, ON L4L 8S5

T: 905-264-7678 F: 905-264-8073 Should you have any questions or require further clarification regarding this request, please contact the undersigned. We also look forward to a response from the City regarding this matter.

Yours truly,

HUMPHRIES PLANNING GROUP INC.

Rosemarie L. Humphries BA, MCIP, RPP

President

Encl.

cc. Anland Developments Inc. – Jason Gabriele

√ Augustine Ko, Region of York

Mr. Jeffry Abrams, City of Vaughan Clerks Dept.

Mr. John Zipay, Commissioner of Planning

Mr. Mauro Peverini

Ms. Melissa Rossi



June 7, 2010

DELIVERED BY HAND

Ms. Diana Birchall
Director of Policy Planning
City of Vaughan
2141 Major Mackenzie Drive
Vaughan Ontario
L6A 1T1

RECEIVED

JUN 0 7 2010

CITY OF VAUGHAN CLERKS DEPARTMENT

Re: Objection to Draft Official Plan (File 25.1)

Dear Ms. Birchall,

Anland Developments Inc. ("Anland") owns 8955 Weston Road, approximately 34.21 acres of land south of Rutherford Road, east of Weston Road (the "Subject Lands"). Anland has reviewed the Draft Official Plan, which incorporates the Subject Lands, and does not agree with the proposed designation and planning policies applicable to it.

Anland disagrees with the City of Vaughan's conclusion that the land be given a General Employment designation. Anland further submits that the designation of "Mid-Rise Mixed-Use Residential" is the most appropriate use for this land.

Anland's position is based on a few considerations. Our two most notable considerations are as follow:

- The proximity of the Subject Lands to the development surrounding the intersection of Rutherford and Weston Roads, given the type of development that exists in and around this intersection; and
- The potential limitations that a General Employment designation would place on the development potential and general ambiance of the area encompassing the Subject Lands and the adjacent land holdings.

We trust that the City of Vaughan will consider this objection, and we look forward to an opportunity to discuss this matter further.

Yours truly.

Anland Developments Inc.

Jason Gabriele

President

HUMPHRIES PLANNING GROUP INC.

February 22, 2011 HPGI File: 09220

Region of York
Clerks Department
17250 Yonge Street
Newmarket, Ontario
L3Y 6Z1

Attn: Mr. Denis Kelly

Regional Clerk

Re: City of Vaughan Adopted Official Plan

Anland Developments Inc. - 8955 Weston Road

Humphries Planning Group Inc. is corresponding on behalf of Anland Developments Inc., owners of approximately 13.8 ha of land located in Part of Lot 15, Concession 5. in the City of Vaughan.

Previous correspondence was submitted to the City directly by Anland in response to the Official Plan review process objecting to the continued employment use designations on the subject land and support for mixed-use (residential – commercial) land uses. In response to written and verbal communications, City staff recommended that the Schedule 14-A be amended to extend the required Secondary Plan Area #3 to encompass the area bounded by Rutherford Road and Weston Road so as to include the subject land. This recommendation was supported by Council and adopted in September of 2010 as part of the new Official Plan.

It has only recently come to our attention that the City does not intend to further study this area in the context of a land use conversion (mixed-use, commercial –residential) and that only employment uses are intended per Land Use Schedule 13-N. We also understand that the secondary plan study process may not commence for this area until late this year.

In consideration of the above, Anland Developments Inc., <u>objects</u> to the City's Official Plan as adopted. We formally request written notification of any decision the Region of York makes related to the approval of the new City of Vaughan Official Plan.

216 Chrislea Road Suite 103 Vaughan, ON L4L 8S5

T: 905-264-7678 F: 905-264-8073 Should you have any questions or require further clarification regarding this request, please contact the undersigned. We also look forward to a response from the City regarding this matter.

Yours truly,

HUMPHRIES PLANNING GROUP INC.

Rosemarie L. Humphries BA, MCIP, RPP President

Encl.

cc. Anland Developments Inc.- Jason Gabriele

✓Mr. Bryan Tuckey, Commissioner of Planning & Development Services Region of York

Mr. Jeffry Abrams, City of Vaughan Clerks Dept.

Mr. John Zipay, Commissioner of Planning



June 7, 2010

DELIVERED BY HAND

Ms. Diana Birchall
Director of Policy Planning
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

RECEIVED

JUN 07 2010

CITY OF VAUGHAN CLERKS DEPARTMENT

Re:

Objection to Draft Official Plan (File 25.1)

Dear Ms. Birchall,

Aniand Developments Inc. ("Aniand") owns 8955 Weston Road, approximately 34.21 acres of land south of Rutherford Road, east of Weston Road (the "Subject Lands"). Aniand has reviewed the Draft Official Plan, which incorporates the Subject Lands, and does not agree with the proposed designation and planning policies applicable to it.

Anland disagrees with the City of Vaughan's conclusion that the land be given a General Employment designation. Anland further submits that the designation of "Mid-Rise Mixed-Use Residential" is the most appropriate use for this land.

Anland's position is based on a few considerations. Our two most notable considerations are as follow:

- The proximity of the Subject Lands to the development surrounding the intersection of Rutherford and Weston Roads, given the type of development that exists in and around this intersection; and
- The potential limitations that a General Employment designation would place on the development potential and general ambiance of the area encompassing the Subject Lands and the adjacent land holdings.

We trust that the City of Vaughan will consider this objection, and we look forward to an opportunity to discuss this matter further.

Yours truly,

Anland Developments Inc.

Jason Gabriele President



G2-1

Planning, Design and Development Committee

Committee of the Council of

Date:

January 18, 2011

The Corporation of the City of Brampton

File:

G65 GP

PLANNING, DESIGN & DEVELOPMENT COMMITTEE

Subject:

RECOMMENDATION REPORT

February 7, 2011

City of Brampton Response to the City of Vaughan's New Official Plan

Contact:

Janice Given, Manager, Growth Management & Special Policy

(905) 874-3459

OVERVIEW:

 The Region of York has circulated the City of Vaughan's new Official Plan to the City of Brampton for review.

- This report provides a summary of staff's review of the Official Plan that identifies key implications to the City of Brampton, and recommendations.
- Vaughan's Official Plan was adopted on September 7, 2010, and is now under review by the Region of York.
- Brampton staff recommends that corridor protection policies and urban design policies within Vaughan's Plan be revised. Staff will continue to work with the Region of York and the City of Vaughan regarding the wording of these policies.

Recommendations:

- That the report from Janice Given, Manager, Growth Management & Special Policy, Planning, Design & Development, dated January 18, 2011, to the Planning, Design & Development Committee Meeting of February 7, 2011, re: RECOMMENDATION REPORT: City of Brampton Response to the City of Vaughan's New Official Plan, be received; and
- That Council direct staff to continue to work with the Region of York and the City of Vaughan regarding the implementation of corridor protection policies pertaining to the GTA West Corridor and urban design issues for Vaughan's employment lands fronting Highway 50, and report back to Council as appropriate.

62-2

3. That Council direct staff to forward a copy of this report and Council resolution to the City of Vaughan, the Region of York, and the Region of Peel for their consideration.

Background:

The Region of York has circulated the new Official Plan of the City of Vaughan to the City of Brampton for review and comment. This report provides a summary of Brampton staff's review of the Plan, discusses key implications of the Official Plan to the City of Brampton, and puts forth recommendations to Brampton Council. The new Official Plan was prepared as part of the requirement under Section 26 (1) of the *Planning Act*, which require municipalities to undertake a review every 5 years to bring their Official Plans into conformity with provincial policies.

Prior to its adoption by City of Vaughan Council, Brampton staff received circulation of Vaughan's draft Official Plan. Within a letter dated July 6, 2010, to the City of Vaughan, Brampton staff expressed its desire for the City's Official Plan to acknowledge the proposed GTA West Corridor and the need for more urban design standards for the City's prestige employment areas, specifically the City's West Vaughan Employment Area (See Appendix 1).

In correspondence dated June 30, 2010, Brampton staff also provided comments to Vaughan regarding the circulation of its draft Secondary Plan policies for the West Vaughan Employment Area. The Secondary Plan Area is one of the City's five Secondary Plan Areas yet to be approved by Vaughan's City Council (See Appendix 2). The primary issues identified within the June 30, 2010, letter by Brampton staff relate to the current development of Brampton's Secondary Plan policies for its Highway 427 Industrial Secondary Plan Area, and any associated implications arising from Vaughan's draft secondary plan employment policies.

Current Situation:

City of Vaughan

The City of Vaughan's new Official Plan was adopted on September 7th, 2010, and was subsequently forwarded to the Region of York for approval. Vaughan's Official Plan review process sought to bring their Plan into conformity with the Growth Plan, the Provincial Policy Statement, and the newly adopted York Region Official Plan. As part of its Official Plan update process, Vaughan also adopted several Secondary Plans, which form Volume 2 of its New OP, for the Secondary Plan areas of Carrville Centre, Steeles West, Highway 400 North Employment Lands, and Kipling Avenue (See Appendix 3).

G2-3

The primary issues identified within Vaughan's new Official Plan by Brampton staff include the need to achieve urban design standards within key employment areas, in particular those adjacent to Highway 50, and the need to incorporate corridor protection policies for the proposed GTA West Corridor within the Plan.

Of particular interest is Vaughan's West Employment Area Secondary Plan lands which abut Brampton's Highway 427 Industrial Employment Area to the west. Vaughan's employment area, which directly fronts onto the municipal boundary with Brampton, is designated "Prestige Employment" within the Official Plan. Brampton staff is of the view that the Official Plan should contain more detail on urban design standards for these areas.

With respect to the GTA West Corridor currently under study by the Province, additional corridor protection policies should be added to the Plan to protect for the corridor's future location and to ensure future development within the vicinity does not impact the selection of an alignment.

Further technical comments pertaining to the review of the adopted OP and the draft Secondary Plan for the Vaughan West Employment Area by Brampton staff are provided as Appendix 4 to this report for the Region of York's consideration (See Appendix 4).

Conclusion:

It is recommended that Council direct staff to continue to work with the Region of York and the City of Vaughan regarding corridor protection policies pertaining to the GTA West Corridor, and urban design issues for the employment lands fronting Highway 50, and report back to Council as appropriate.

Respectfully Submitted,

Original Signed by

Original Signed by

Adrian Smith, MCIP, RPP Director, Planning Policy & Growth Management

Commissioner

Planning, Design & Development

Authored by: Daniella Balasal, Growth Management Policy Planner III

62-4

Appendices

Appendix 1: City of Brampton Letter to the City of Vaughan – Vaughan's Draft Official Plan, July 6, 2010

Appendix 2: City of Brampton Letter to the City of Vaughan – Draft West Vaughan Employment Area Secondary Plan, June 30, 2010

Appendix 3: Vaughan Official Plan Schedule 14-A: Areas Subject to Secondary Plans

Appendix 4: Summary of City of Brampton Technical Comments: Review of the

City of Vaughan's New Official Plan (September, 2010),

January, 2011

For a copy of the City of Vaughan's Official Plan, please go to: www.vaughantomorrow.ca







APPENDIX 1

Planning, Design & **Development Department**

July 6, 2010

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

Dear Sir/ Madame:

Brampton's Review of the City of Vaughan's New Official Plan. File No. 25.1

The City of Brampton is in receipt of the draft City of Vaughan Official Plan and wishes to congratulate Vaughan in reaching this key milestone in the process of adopting a new OP. The Plan demonstrates Vaughan's vision of transforming the City and implementing its Growth Management Strategy.

Brampton staff have reviewed the draft OP and will be presenting a Recommendation Report to Council in August seeking direction on the Plan. Below are the key comments pertaining to staff's review of the Plan:

- The Plan should acknowledge the proposed GTA West Corridor identified by the Province, and should incorporate corridor protection policies for lands located within the vicinity of the proposed corridor location. Additionally, the City should seek to work with the Province and other adjoining municipalities for the protection of the corridor and any new transportation corridors.
- With respect to employment areas, the City's West Employment Area Secondary Plan abuts Brampton's Highway 427 Industrial Secondary Plan Area to the west. Vaughan's employment lands fronting onto the municipal boundary are designated Prestige Employment within the OP, however, the draft OP should reflect more detail on urban design standards for the City's prestige employment areas.

In addition, please find below more technical comments for your consideration:

Transportation

- O Consideration should be made to rephrasing the following station as is found on page 3 (Section 1.1)! "...the extension of two subway lines into Vaughan..." is "...among the major public investments currently in progress,". The Spadina line extension to Vaughan Metropolitan Centre is under construction with funding commitments in place. However, the extension of the Yonge line north to Richmond Hill, while identified as a priority project within the conceptual context of The Big Move, and with a completed Benefits Case Analysis, has no funding committed and no construction start date determined at this point.
- Page 135/Policy 4.2.2.5 states that "The subway extensions and enhanced VIVA service corridors and stations shall be the areas of highest development densities in the City." A clause or separate policy regarding the location of important civic uses in these same areas should be considered.
- o Regard Policy 4.2.2.8, it should be made clear if there is any distinction between the Transit Priority Network and the Rapid Transit Network (there seems to be in the Transportation Master Plan). Also, it should be clarified which network supports the City of Vaughan's Intensification Areas.
- o As per page 137-138/Policy 4.2.3.1, consideration should be made to another policy, "(f) Ensuring that active transportation facilities are continuous with those in neighbouring municipalities" (or state as part of another policy).
- The following policy could potentially be added to page 148/Section 4.4.2: C "To maintain and improve truck and rail access/connectivity between intermodal facilities and goods movement corridors."
- o On page 148/Policy 4.4.2.2. Peel Region should be explicitly added to the list of planning partners for comprehensive and integrated goods movement system.
- o In Section 4.2.1 (pages 129-130) there is no mention of the GTA West or other possible future corridors passing through York Region. The City of Vaughan should consider adding the following policy "To work with the Province and adjoining municipalities to protect for, and to support goods movement and improved rapid transit facilities on any new transportation corridors, including the proposed GTA West corridor."

Policy

- o The employment lands that front onto the Brampton-Vaughan municipal boundary are designated *Prestige Employment* as per Schedule 13 of the draft OP, which are characterized by high quality buildings as per Policy 9.2.2.10. This policy direction could reflect more detail on urban design standards characteristic of prestige employment areas, which are implemented through site planning.
- o The GTA West Corridor extension shown on Schedule 9 of the draft OP illustrates the conceptual route of the corridor curving to the south near the Vaughan-Brampton municipal boundary. However, to date, the preferred route supported by the Ministry of Transportation as part of their Environmental Assessment study for the corridor reflects the corridor curving to the north. Additional, Schedule 2 of the Places to Grow Growth Plan illustrates the GTA West Transportation Corridor curving to the north near the Peel-York regional boundary. As such, it is recommended that the GTA West Corridor extension shown on Schedule 9 to the draft OP be amended to curve north, consistent with current provincial transportation initiatives.

Growth Management

- o It is suggested that within Section 1.1 of the Official Plan, Vaughan identify population and employment forecasts for the interim *Places to Growth* planning horizon years of 2011, and 2021.
- o On page 16, Chapter 1, 3rd paragraph ('Community Infrastructure'), the word "and" is duplicated on line seven.
- o Policy 2.1.3.2. b) indicates that the City will direct a minimum of 45% of residential growth through intensification. Consideration should be given to explicitly stating this intensification target applies to "new" residential growth. An additional policy is also suggested to indicate the City of Vaughan will contribute to the Region of York's intensification growth target.
- o Should policy 2.2.5.3 include 'entertainment' in the list of uses encouraged to establish within the City's Urban Growth Centre, the Vaughan Metropolitan Centre as per policy 2.2.4.4 of the Places to Grow Growth Plan?

Should you have questions related to our comments, please do not hesitate to contact the undersigned.

Regards.

Daniella Grosvenor, MCIP, RPP Growth Management Policy Planner Planning, Design & Development

Cc: Ac

Janulla Sz

Adrian Smith, Director, Planning Policy & Growth Management Janice Given, Manager, Growth Management & Special Policy Henrik Zbogar, Manager, Long-Range Transportation Planning David Waters, Manager, Planning Policy

Attention:

June 30, 2010 Brampton Planning File: G70-VA

Planning, Design 8 Development Department

APPENDIX 2

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

RE: Draft West Vaughan Employment Area Secondary Plan

Request For Comments
File Number: WVEA 25.5.19

Melissa Rossi

The City of Brampton has reviewed the above referenced draft secondary plan submitted by the City of Vaughan March 7, 2010. At this time, we wish to provide the City of Vaughan with the following comments regarding the draft West Vaughan Employment Area Secondary Plan, also known as the WVEA. Comments from Long Range Transportation Planning, Growth Management and Policy Planning are combined and included below:

Long Range Transportation Planning

- 1. The development of Secondary Plan 47 in Brampton is underway, but as of yet, there are no additional road connections to Highway 50 proposed. As mentioned in Policy 2.2.11, the City of Brampton and City of Vaughan will need to work in a coordinated fashion on new road connections across Highway 50, including for the proposed road (identified between Langstaff Road and Rutherford Road) that crosses Highway 50 into Brampton. Additionally, the Region of Peel requires input and consultation regarding intersection spacing along Highway 50 and whether any new access points are acceptable.
- The City of Brampton's pathways network also includes the area bordering the WVEA. Class I (bicycle) pathways are proposed along Countryside Drive, Castlemore Road and Cottrelle Boulevard, with a third planned for a road that runs between and parallel to both Countryside and Castlemore. Class II (on-street) facilities are proposed for the road south of Countryside Drive and south of Castlemore Road. The planning for these facilities also needs to be coordinated with paths east of Highway 50, which do not appear in Figure 3. Jacqueline Svedas of the City of Brampton can be contacted for more details (Jacqueline.Svedas@brampton.ca).
- 3. Bicycle and pedestrian facilities should be consistent with Vaughan's Pedestrian and Bicycle Master Plan. Policy 2.2.13 supports improved facilities for alternative modes, and should be applied where contextually appropriate with priorities focusing on connections to trails and existing facilities, including those in other municipalities.
- 4. The West Vaughan Employment Area falls within the GTA West Study Area and is adjacent to the potential location of a future GTA West east-west Transportation corridor. The Ministry of Transportation held a fourth series of Public Information Centres where alternatives were

Brampton City Hall, 2 Wellington Street West, Brampton, ON L6Y 4R2 Tel: 905-874-2050 Fax: 905-874-2099 www.brampton.ca TTY 905-874-2130

(62-9)

presented. The Project Team should be consulted at project_team@gta-west.com for details and to clarify access and development impacts.

- The current City of Vaughan Transportation Master Plan identifies Major Mackenzie Drive, Rutherford Road and Highway 27 in Policy 2.2.12 as forming part of the Transit Priority Network, however, the West Vaughan Employment Area secondary plan identifies Highway 7 and Major Mackenzie Drive, east of Weston Road, as a different classification as Rapid Transit Corridors. Clarification is required as to the definitions of these two classifications and whether they are the same or not. If they are not the same, the difference between the two needs to be made clear as well as how two different classifications will be handled on the
- 6. Referring to the GTA West Corridor Consolidated Land Use Plan (see attached) please note the portion of the West Vaughan Employment Area Secondary Plan that abuts Highway 50 (Block 66) also falls within the Ministry of Transportation's 'Area of Interest #2'. As this is not reflected in any secondary plan mapping, it is recommended that this designation be included to more accurately reflect the potential highway expansion into this area.

Policy Planning

The City of Brampton is currently engaged in the preparation of Secondary Plan Area 47, the Highway 427 Industrial Secondary Plan Area. A portion of the eastern boundary of the Area 47 Secondary Plan abut Highway 50 and is therefore directly adjacent to the northerly part of the West Vaughan Employment Area Secondary Plan area. Specifically, the portion that falls between Nashville Road to the north and Major Mackenzie Drive to the south are directly connected to Brampton's Secondary Plan Area 47. The comments provided in this response letter therefore, generally refer to this portion of SP47 along Highway 50 and how it may be affected by the adoption of the WVEA.

- 1. The reference to the City of Brampton's Area 47 Secondary Plan process on page 2 of the draft WVEA document should be changed to accurately reflect the Secondary Plan name: Highway 427 Industrial Secondary Plan Area. Referencing this secondary plan area an 'Industrial Zone' does not accurately reflect the residential areas that are also intended to be designated within the secondary plan's boundaries.
- 1. The Ministry of Transportation Environmental Assessment process has broadly identified the preferred East/West GTA West corridor alignment, most of which is proposed to be development North of Brampton through Caledon. The Vaughan Official Plan map shows the proposed GTA West alignment arching south into Area 47, dissecting through the entire Secondary Plan area. Indicating that the corridor extension proceeds south through SP47 does not accurately reflect the planning process currently underway, nor does it reflect the connections with Vaughan that are necessary along the Highway 50 corridor that connects Brampton to the WVEA.
- 2. Generally, the designation of industrial within the WVEA that abuts Highway 50 is consistent with the industrial use classification that is currently being proposed for Brampton's SP47 area. Development of each side of the Highway 50 will need to be coordinated to ensure compatibility in specific land uses, building design, road design and layout and pedestrian, cycle and transit accommodations. Wording should be added to the WVEA acknowledging that Brampton will have its own set of development controls and proposed land uses and the need to ensure consistency across the municipal boundaries.

- 4. The Trans Canada Pipeline extends from Brampton's SP47 area into the portion of Vaughan's West Vaughan Employment Area abutting Highway 50. The Trans Canada Pipeline represents a regional greenway connection and an opportunity to establish a pedestrian link between the two municipalities. Wording should be expressed in the WVEA about working with Brampton to ensure this active transportation and green space link is maintained and is addressed as a pedestrian crossing across Highway 50.
- Vaughan's WVEA identifies support for minimizing lot severances and subdivision for employment-based development. Brampton, through the processing of its Area 47 secondary plan, has not determined the general lot sizes that will be supported along Highway 50. Access to Highway 50 from both sides should take place consistently along the corridor and not in a way that creates traffic safety issues. Wording in the WVEA should acknowledge that subdivision of land on the Brampton side may not be consistent with the Vaughan side and that efforts should be made to ensure new Highway 50 accesses, on either side, are appropriately accommodated.

Please feel free to contact me at 905-874-2124 is you wish to discuss this issue further.

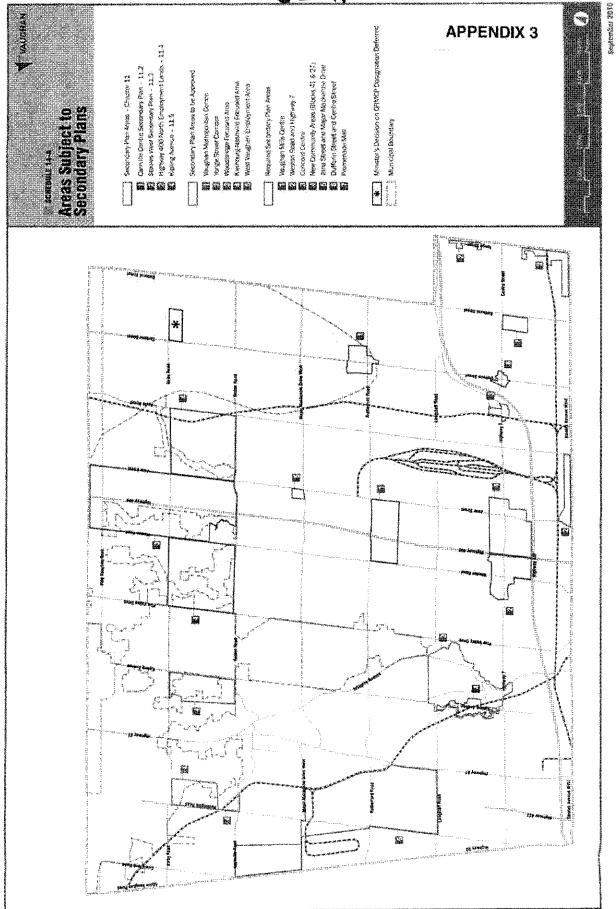
Regards.

Carla Stewart, MCIP, MCAHP

Policy Planner III
City of Brampton

CC

Andrea Warren, Region of Peel
David Waters, City of Brampton
Natalie Goss, City of Brampton
David Kuperman, City of Brampton
Jacqueline Svedas, City of Brampton



APPENDIX 4:

Summary of City of Brampton Technical Comments: Review of the City of Vaughan's New Official Plan (September, 2010)

Comments related to the Vaughan Official Plan

- The OP should acknowledge that the proposed GTA West Corridor study is the process of developing alternative corridor options. The corridor alignment has not been determined at this point and may consider an area wider than is indicated on Schedule 9 "Future Transportation Network".
- Detail on Urban Design Guidelines in employment areas, specifically prestige employment areas could be expanded on.
- 4.2.2.5. states "That the subway extensions and enhanced VIVA service corridors and stations are planned to be in the areas of high development densities in the City in accordance with the policies of this Plan". The location of important civic uses in the same areas, maybe an additional complimentary policy in section 4.2.
- Is there a distinction between the Transit Priority Network and the Rapid Transit Network? Which network supports the Intensification Areas?
- Is there an opportunity to provide a general planning principle to consider opportunities to provide connectivity to neighbouring municipalities, with regard to natural environment /trail linkages and transportation.

Comments related to the West Vaughan Employment Area Secondary Plan

- Lands that Border with Brampton are identified as Prestige Employment Lands. Prestige Employment Lands are subject to higher built form and urban design criteria however, more detail on how this will be accomplished is set out in the Secondary Plan.
- Brampton Planning staff are presently developing a Secondary Plan for Area 47, which will border WVEA. Malik Majeed (905-874-2076) is the planner assignment to this study should specific details be requested in the future.
- Section 2.3.7(b) identifies developing minimum requirements for mitigating stormwater runoff volume and increase. Where and when will this be undertaken and implemented, and in what policy document will this be undertaken?



Planners
Project Managers

EMC File No.: 205102-PL

February 4, 2011

Via Email bryan.tuckey@york.ca and Mail

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

Attention:

Bryan Tuckey, MCIP, RPP

Commissioner, Planning and Development Services

Dear Sir:

Re:

'Adopted' City of Vaughan Official Plan (2010)

Enza Realty Limited (Domenic Marzano)

Kleinburg Lower Village Proposal

Part Lot 24, Concession 8

(south-east quadrant Highway 27 and Nashville Road)

Community of Kleinburg, City of Vaughan

Regional Municipality of York

Please be advised that we act as the land development planning consultants on behalf of the owner of the above-noted holdings within the City of Vaughan. Subsequent to the September 7, 2010 'adoption' of the new City of Vaughan Official Plan document by City Council, we requested:

- receiving the 'notice of decision' associated with Region of York approval of the local Official Plan (October 12, 2010 letter to Denis Kelly, Regional Clerk attached for easy reference); and
- a change to the land use designation on Schedule 13-G: Land Use contained within the City of Vaughan Official Plan document (December 8, 2010 and January 17, 2011 email transmittals to Diana Birchall, Vaughan Director of Policy Planning and Urban Design also attached for easy reference).

The above-noted correspondence was coupled with previous submissions to the City of Vaughan (letters dated August 6th, August 25th and September 1st, 2010) as part of our review of the 'draft' version of the Official Plan (April 2010) and leading to the adoption of the 'final' Official Plan (September 2010) document. Copies of such correspondence can be provided if and as required for Regional Planning staff review purposes.

Additionally, a formal review meeting was convened with senior City of Vaughan Planning Department staff on October 18, 2010 in order to introduce the proposed Kleinburg Lower Village development concept and to pursue our concerns relative to the 'adopted' Official Plan (2010) land use designation, as well as associated policy (height and density / FSI) provisions.

File No.: 205102 York Planning February 4, 2011 Page 2

As indicated in the attached copy of Vaughan Official Plan (2010) Schedule 13-G: Land Use (September 2010), as 'adopted' by City Council, the subject lands are being proposed to be designated as "Natural Areas". However and as depicted on the attached copy of Vaughan Official Plan (2010) Schedule 13: Land Use (April 2010) and illustrated in the accompanying enlargement of same, the subject lands were previously designated as "Low-Rise Mixed-Use" in the 'draft' Plan document released in April 2010 as part of the public consultation and review process.

Given previous regulatory approvals associated with the subject lands, the "Natural Areas" (September 2010) designation appears to be inaccurate and even wrong, while the "Low-Rise Mixed-Use" (April 2010) land use designation would be both appropriate and right. As such and as the Region of York deliberates on the new proposed City of Vaughan Official Plan (2010) document as part of the review and approvals process, and prior to approving the Plan document, we respectfully request that the subject lands be subject to a 'modification' associated with Schedule 13-G: Land Use and redesignated to the appropriate "Low-Rise Mixed-Use" land use designation accordingly.

Such a 'modification' would also reflect local Official Plan Amendment (OPA) No. 633, being the Kleinburg Core Are Policy Review initiative, which was adopted by City Council on May 23, 2006, approved by York Region on March 29, 2007 and subsequently approved by the Ontario Municipal Board (OMB) on October 5, 2009, wherein the subject lands are designated as "Mainstreet Commercial". A copy of Schedule '3' to OPA #633 is also attached for easy reference.

The 'modification' to the appropriate "Low-Rise Mixed-Use' designation within an approved Vaughan Official Plan would reflect and parallel the previously articulated intent for the subject lands under the OPA #633 "Mainstreet Commercial" designation as part of the municipal vision for the broader Kleinburg core area and the overall mainstreet corridor.

We understand that the local Official Plan has now been forwarded to the Region of York, as the approval authority, and as such, we formally request:

- 1. being notified of the preparation, as well as receiving any Regional Planning Department staff reports and the 'draft notice of decision' (proposed modifications and deferrals) related to the proposed City of Vaughan Official Plan;
- 2. being notified in advance of scheduled dates as to Regional Planning & Economic Development Committee and/or Council consideration of the Plan document;
- an opportunity to convene a review meeting relative to the subject lands and the requested 'modification' with both Regional and City Planning staff to address our submission comments; and
- 4. that City Planning staff confirm whether the intent of the Official Plan was to redesignate the subject lands as "Natural Areas" rather than "Low-Rise Mixed-Use" as per the



File No.: 205102 York Planning February 4, 2011 Page 3

Kleinburg mainstreet commercial vision or whether the land use designation on Schedule G: Land Use within the Vaughan Official Plan (2010) as 'adopted' is merely an oversight and an error of omission as part of the mapping exercise, and thus wrong and inaccurate.

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

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

Yours truly,

EMC GROUP LIMITED

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

attchs.

c.c. John Zipay, City of Vaughan Commissioner of Planning (<u>John.Zipay@vaughan.ca</u>)
Domenic Marzano, Enza Realty Limited (<u>domenic@alphamarathon.com</u>)

Z:\205102\Planning\205102 YR PlgDept VOP Ltr Feb0411







EMC File No.: 204101-PL

October 12, 2010

Via Fax 1-905-895-3031

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

Attention:

Denis Kelly

Regional Clerk

Dear Sir:

Re:

Official Plan for the City of Vaughan (2010)

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

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

Yours truly,

EMC GROWP LIMITED

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

Senior Planner

c.c.

York Region Planning & Development Services (Fax #1-905-895-3482)

Jeffrey A. Abrams, Vaughan City Clerk (Fax #905-832-8535)

Diana Birchall / Mauro Peverini, Vaughan Policy Planning (Fax #905-832-8545)

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Yurij Pelech

From: Yurij Pelech [ypelech@emcgroup.ca]

Sent: Monday, January 17, 2011 10:39 AM

To: 'Diana Birchall'

Cc: 'Mauro Peverini'; 'Domenic Marzano'; 'filing@emcgroup.ca'

Subject: FW: #205102-PL Kleinburg Lower Village, Vaughan

Good morning Diana and Happy New Year! Wishing you and your staff the very best of everything that the New Year brings.

Further to our October 18th, 2010 meeting with respect to the Kleinburg Lower Village (Domenic Marzano) project proposal, coupled with our subsequent transmittal below, we would greatly appreciate an opportunity to discuss the:

1. 'adopted' Vaughan Official Plan process going forward (i.e. review and/or modifications) which will culminate with Region of York approval of the September 7th, 2010 Plan document; and

2. the specific land use designation (i.e. "Low-Rise Mixed-Use" rather than "Natural Areas") for the Marzano holdings at the south-east corner of 27 and Nashville Road.

Thank you very much for your attention to our request and should you deem it necessary to meet, we ask that you kindly please advise and we will attend at your office accordingly. Regards.
Yurij

From: Yurij Pelech [mailto:ypelech@emcgroup.ca] Sent: Wednesday, December 08, 2010 12:26 PM

To: 'Diana Birchall'

Cc: 'Grant Uyeyama'; 'filing@emcgroup.ca'

Subject: #205102-PL Kleinburg Lower Village, Vaughan

Good afternoon Diana:

*

Just a quick follow up to our October 18th meeting (along with Watchorn Architects Inc.) with respect to the proposed conceptual development plan and proposal related to our client's lands situated at the south-east corner of Nashville Road and 27 within Kleinburg, and your indication that the September 7, 2010 VOP Schedule 13-G: Land Use designation 'was wrong', is the intent to deal with and correct same (i.e. to reflect OPA #633 and as previously depicted in the 'draft' April 2010 version of the Plan document) through a modification at the Region of York stage of review and approval of the Plan? Thank you very much. Regards.

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

EM (GROUP LIMITED

Engineers, Planners, Project Managers 7577 Keele Street, Suite 200, Concord, Ontario L4K 4X3 T.(905)738-3939 x239 F.(905)738-6993 E.ypelech@emcgroup.ca

To help us stop the spread of viruses, we request that all email sent to our office includes project name, number, and recipient's name in the subject line. CONDITIONS OF RECEIPT OF DIGITAL DATA

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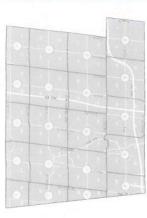


Land Use

Parks Private Open Spaces Agricultural Rural Residential

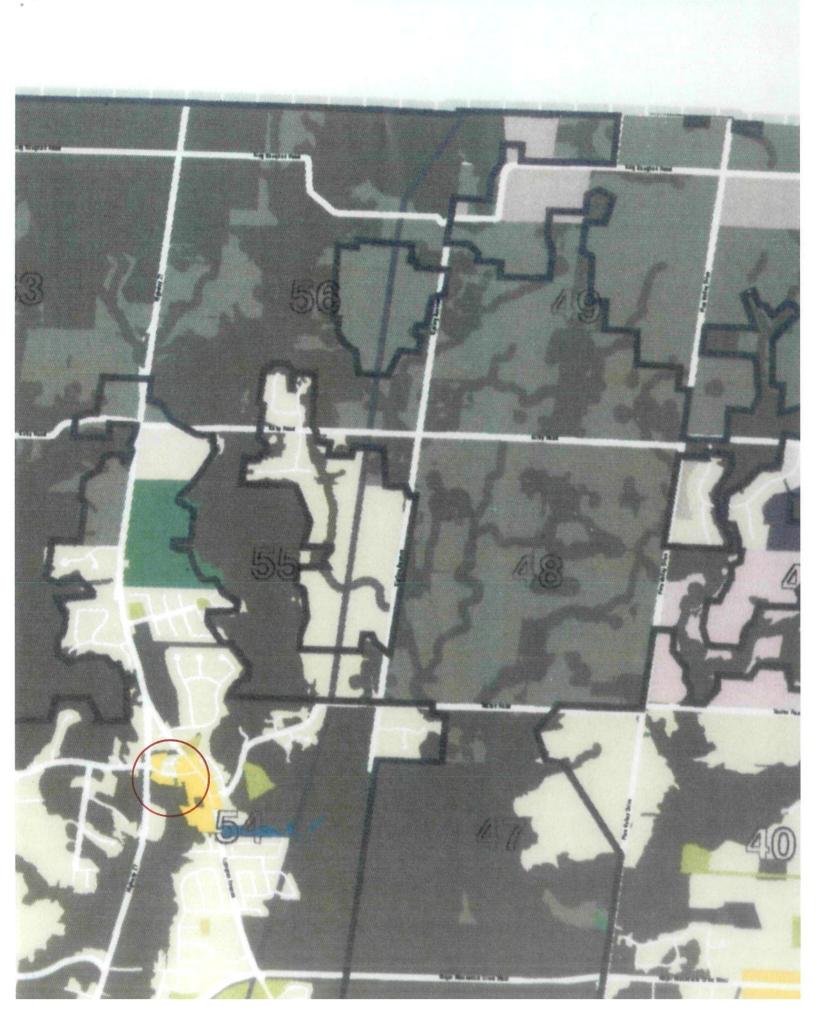
New Community Areas Theme Park and Entertainment Parkway Belt West Lands Infrastructure and Utilities

Greenbelt Plan Area and Oak Ridges Moraine Conservation Plan Area



April 2010

0 DRAFT



- Kleinburg Core Area
- Mainstreet Commercial
- Village Residential MAYOR CLERK SIGNING OFFICERS THIS IS SCHEDULE 'A-1'
TO AMENDMENT No. 601
ADOPTED THE___DAY OF____, 2006 LAND USE HYDRO CORRIDOR 2006 THIS IS SCHEDULE '3' TO AMENDMENT No. 633 STEGMAN'S MILL ROAD DAY OF ADOPTED THE REGIONAL ROAD 27 FILE No. OP.06.004
RELATED FILE: Z.06.012
LOCATION: Part of Lots 24 & 25, Concession 8
CITY OF VAUGHAN KLEINBURG CORE AREA BOUNDARY STRATEGIC SITES & GATEWAYS MAINSTREET COMMERCIAL - VILLAGE RESIDENTIAL N:\DFT\1-BY-LAWS\op\op.06.004z.06.012 LEGEND



5400 Yonge Street, Suite 501 Toronto, ON M2N 5R5 Tel.: (416) 227-9005 Pax: (416) 227-9007

<u>VIA EMAIL ONLY</u>

February 22, 2011

Mr. Bryan Tuckey, MCIP, RPP
Commissioner of Planning & Development Services
The Regional Municipality of York
17250 Yonge Street
Box 147
Newmarket, ON
L3Y 6Z1

Dear Mr. Tuckey:

RE: City of Vaughan Official Plan Phasing Policies

I am writing to you on behalf of the Block 41 Landowners' Group (within the City of Vaughan) to express concerns with a recent decision by Vaughan Council and to ask that the Region address these concerns through its Review of Vaughan's Official Plan.

At its meeting of January 25, 2011, Vaughan Council voted to impose a development phasing policy based on the "substantial completion" of secondary plans for at least five of their identified intensification areas. We attach for your reference a copy of the Clerk's notice of this decision.

We draw this to your attention because we believe that such an approach to phasing may seriously impede the Region's ability to implement its Official Plan. We believe the City's decision was made without proper consideration of good planning practices, is not consistent with the provisions of the Provincial Policy Statement (2005), does not comply to the Growth Plan, and unnecessarily delays planning studies without properly phasing and staging growth.

York Region prepared a comprehensive land budget (March 2010) identifying land supply and need for all land uses and housing types throughout the Region and by local municipality. The Region has identified a need for additional lands in Vaughan for community areas (residential and associated uses). The City's phasing policy however will effectively freeze needed lands from timely study and potential release for development. It does not properly consider nor contribute to the range of housing types

required in the regional market area and it has a high potential to limit supply of residential lands to less than a 10 year supply (designated lands) or a three year supply (draft approved lands). It will limit the ability to permit and facilitate all forms of housing required to meet the social, health and well-being requirements of current and future residents.

We have seen no publicly vetted report that demonstrates a 10 year supply of designated lands within Vaughan. All of the reports prepared as part of the Official Plan process use the horizon year 2031 when identifying land need. Anecdotal evidence from across the York Region and within Vaughan describes a shortage of draft approved lots, lands available for development and construction within the short to medium term. The proposed policy would further reduce a limited supply leading to an increase is house prices and potential unemployment in the trades.

Any policy that limits planning for new communities must be supported by evidence that the policy is consistent with the PPS with respect to ensuring an adequate supply is available in the short (three year) to medium term (10 year).

We are concerned that the City's adopted policy does not facilitate and will ultimately not permit all forms of housing needed in the City of Vaughan. The focus on planning for intensification areas limits the choices that current and future residents will have when selecting a house and is not consistent with the PPS's requirement to facilitate and permit all forms of housing. Delaying the planning for the urban expansion lands results in an ever decreasing opportunity for ground related housing (singles, semis, freehold towns).

It is understood that there is a concern with respect to improperly planned growth, but the planning process already requires that Council approve secondary plans, block plans, plans of subdivision and allocate sewage capacity before building can occur. These all of function as fair thresholds to test the suitability of a development and ensure growth is properly planned.

A phasing and staging policy that requires five secondary plans for intensification areas to be substantially completed in Vaughan prior to planning for new community lands is not appropriate. If the Region intends to implement a phasing and staging policy in its approval of Vaughan's Official Plan, it should ensure that an appropriate policy is developed so that Regional objectives can be fulfilled and the Regional Official Plan can be properly implemented.

I would be pleased to meet to discuss suitable options with you, your staff, and city staff at your convenience.

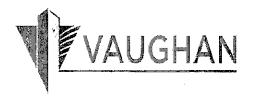
Yours very truly,

FIELDGATE DEVELOPMENTS

Rick Mangotich/

Vice President

RM:mh Attachment



Clerk's Department 2141 Major Mackenzie Drive Vaughan, Ontario Canada L6A 1T1

> Tel (905) 832-8504 Fax (905) 832-8535

FOR INQUIRIES:

PLEASE QUOTE ITEM & REPORT NO.

January 31, 2011

Mr. Ira Kagan Kagan Shastri LLP 188 Avenue Road Toronto, ON M5R 2J1

Dear Mr. Kagan:

RE: REMOVAL OF THE URBAN BOUNDARY EXPANSION FOR

RESIDENTIAL/COMMERCIAL FROM THE NEW OFFICIAL PLAN

Attached for your information is **Item 15**, **Report No. 1**, of the Committee of the Whole regarding the abovenoted matter which was adopted, as amended, by the Council of the City of Vaughan at its meeting of January 25, 2011.

Sincerely,

Jeffrey A. Abrams City Clerk

Attachment:

Extract

Vaughan and York region Premature in Requesting Urban Boundary Expansion in Vaughan

JAA/pa

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 15, Report No. 1, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on January 25, 2011, as follows:

By approving:

That the New Community Areas Secondary Plan proceed after five of the required Secondary Plans have been substantially advanced as defined in the staff report excluding the Jane Street and Major Mackenzie Secondary Plan; and

That the Natural Heritage Inventory Study be completed before the New Community Areas Secondary Plan is undertaken; and

By receiving Communication C4 from the Commissioner of Planning, dated January 25, 2011.

15 REMOVAL OF THE URBAN BOUNDARY EXPANSION FOR RESIDENTIAL/COMMERCIAL FROM THE NEW OFFICIAL PLAN

The Committee of the Whole recommends:

1) That the following motion moved by Councillor lafrate and seconded by Regional Councillor Schulte be referred to the Commissioner of Planning for a general report to the Council meeting of January 25, 2011; with the timing of a more comprehensive report to be determined by Council with the advice of the Commissioner:

"That the general principle will apply that no studies shall be undertaken with respect to new Community areas outside the current urban boundary until the 6 required Secondary Plan Area plans with the urban boundary, are completed."

- That the following resolution submitted by Regional Councillor Schulte, dated January 11, 2011, be received; and
- 3) That the following Communications be received:
 - C2 Mr. Richard Lorello, dated January 5, 2011;
 - C12 Mr. Richard Lorello, dated January 11, 2011;
- 4) That the following deputations and Communications be received:
 - 1. Rev. Jim Keenan, Vaughan Social Action Council, 9225 Jane Street, Suite No. 1416, Maple, L6A 0J7 and Communication C11, dated January 11, 2011;
 - 2. Mr. Ira Kagan, Kagan Shastri LLP, 188 Avenue Road, Toronto, M5R 2J1, on behalf of Block 41 Landowner's Group and Communication C4, dated January 10, 2011;
 - 3. Ms. Gloria Marsh, York Region Environmental Alliance, 225 Lakeland Crescent, Richmond Hill, L4E 3AS and Communication C7, dated January 10, 2011;
 - 4. Ms. Susan Sigrist, 27 Matterhorn Road, Maple, L6A 2V4 and on behalf of Frank Stadler, Maplewood Ravines Community Association;
 - 5. Mr. Richard Leong, 141 Lime Drive, Woodbridge, L4L 5P4;
 - 6. Ms. Alexandra Hatfield, 232 Camlaren Crescent, Kleinburg, L0J 1C0 and Communication C14;
 - 7. Mr. lain Craig, 365 Stegman's Mill Road, Kleinburg, L0J 1C0 and Communication C15, dated January 11, 2011;
 - 8. Ms. Martha Bell, Sustainable Vaughan, 63 Riverside Drive, Woodbridge, L4L 2L2;
 - 9. Mr. Adrian Visentin, 149 Longview Crescent, Vaughan, L4H 1A9;
 - 10. Ms. Maxine Povering, 48 OHR Menachem Way, Thornhill, L4J 8X7;
 - 11. Ms. Claudia Rodríguex-Larrain, Green Party of Vaughan;

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 15. CW Report No. 1 - Page 2

- 12. Ms. Mary Pataki, 233 Pine Grove Road, Woodbridge, L4L 2H7;
- 13. Mr. Stephen Roberts, Sustainable Vaughan, 143 Vaughan Milis Road, Vaughan, L4J 1K2:
- 14. Mr. Brian E. Pittman, 183 Camlaren Crescent, Kleinburg, L0J 1C0;
- 15. Mr. Michael Melling, Davies Howe Partners LLP, 99 Spadina Avenue, 5th Floor, Toronto, M5V 3P8, on behalf of Block 27 Landowners' Group and 400 Landowners' Group; and
- 16. Mr. Frank Greco, 10472 Islington Avenue, Suite No. 201, Kleinburg, L0J 1C0.

Member's Resolution

Submitted by Regional Councillor Schulte

Whereas, the current removal of the Phasing Clause does not meet "Places to Grow" growth phasing requirements. The residential/commercial expansion is unnecessary to meet the provincial and regional requirements for population growth.

To help justify the expansion:

Six intensification area growth estimates were left as TBD in the population forecast studies.

Vaughan Metropolitan Centre density estimates were kept to the pre-subway Provincial "Places to Grow" requirement, much lower than would be expected at a subway station location.

Current OPA 600 greenland estimates were reduced.

White Belt lands (expansion lands) are rated some of the highest LEAR (Land Evaluation and Area Review) rated agricultural lands in York Region.

White Belt lands are riddled with Greenbelt lands and environmentally significant areas; home to at least one endangered species and many more threatened species, both flora and fauna.

The whitebelt land in Block 27 provide important wildlife and ecological linkage areas in the Don Watershed to the Oak Ridges Moraine.

Suburban development provides little or no financial benefit to the City, in fact it is often a cost burden, due to dispersed services.

Housing demand is undergoing a transformation in Vaughan due to our aging population downsizing and the high cost of single family homes.

AND THEREFORE BE IT RESOLVED that the Region of York be requested to modify the City of Vaughan Official Plan 2010 by deleting all reference to the New Community Areas in Blocks 41 & 27 as depicted on Schedule 13 entitled Land Use of the Plan and redesignating those areas as Agricultural.

Schedule 13-H entitled Land Use (Block 41), Schedule 13-I entitled Land Use (Block 27) be redesignated from New Community Areas to Agricultural.

That Schedule 1 Urban Structure be modified to redesignate these lands from Community Areas to Natural Areas and Countryside.

That Schedule 1A Urban Area be modified to redraw the Urban Boundary to remove Bock 41 and 27 from the Urban Boundary and to designate them as Non-Urban Area.

And further that any policies related to the urban expansion of these referenced blocks be deleted from the Plan.

Attachments

 Vaughan and York region Premature in Requesting Urban Boundary Expansion in Vaughan

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 15, CW Report No. 1 - Page 3

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

Regional Councillor Di Biase declared an interest with respect to the foregoing matter as his children have had a long standing interest in a parcel of land in the area within Block 27.



Vaughan and York Region Premature in Requesting an Urban Boundary Expansion in Vaughan.

This report has been created by concerned citizens of Vaughan and provides proof that both the Region and the City of Vaughan are premature in requesting an urban boundary expansion in Vaughan, and any expansion now would be in conflict with the Places to Grow Growth Plan (Section 2.2.8.2).

After reviewing the market, the current applications for development and the consultants' conservative estimates for Vaughan's intensification areas, it is clear that 45% intensification is far below what will occur in Vaughan over the next 20 years

The City and York Region have underestimated the intensification growth forecast and overestimated the number of single and semi detached housing units that are needed in Vaughan for the next 20 years, and because of this they are able to justify an urban boundary expansion.

In addition, the City has not conducted the necessary studies to show how an expansion will occur on prime farmland and ecologically sensitive headwater areas of the Don and East Humber. In fact, the full degree as to the ecological importance of this land has not been adequately studied or realized.

The following is a summary of how the proposed urban expansion contravenes the Places to Grow Plan. Please see the attached report for more details.

1) To align with York Region's Land Budget conclusions and justify an urban boundary expansion it was necessary for Vaughan to reduce its housing supply numbers. Six identified intensification area estimates within the existing built boundary are missing from intensification summary (Appendix 1 – Section A).

The expansion is not consistent with Growth Plan Section, 2.2.8.2 a) "a settlement area boundary expansion may only occur...where it has been demonstrated that – a) sufficient opportunities to accommodate forecasted growth ..., are not available."

2) Intensification and Greenfield housing supply estimates have been reduced, claiming they will not be built by 2031 (Appendix 1 – Section B)).

The expansion is not consistent with Growth Plan Section 2.2.8.2 b) "the expansion makes available sufficient lands for a time horizon not exceeding 20 yrs." and Section 2.2.8.2 c) "the timing of the expansion and the phasing of development within the designated Greenfield area will not adversely affect the achievement of the intensification target and density targets, and other policies of this Plan".



3) The urban boundary expansion is based entirely on providing for a supply of ground related (single, semi and row) housing, not the complete communities required. Housing type estimates for Vaughan in its Official Plan are not consistent with York Region's Residential Demand Analysis, nor the requirement that "community lands in the Whitebelt areas are planned to achieve a density of 70 people and jobs per ha." York Region 2031 Land Budget -pg 23.

In the consultant report "Where and How to Grow -on pg. 73" Urban Strategies states— "The Provinces requirement for planning complete communities would also be met by using a density of 20 uph (70 people and jobs per ha). The compact land form associated with such density includes both residential and local commercial and retail, primarily on the ground floors of multistory mixed-use buildings."

The expansion is not consistent with Places to Grow Section 1.2.2 Guiding Principals, nor Section 2.1 "This plan is about building complete communities, whether urban or rural. These are communities that are well-designed, offer transportation choices, accommodate people at all stages of life and have the right mix of housing, a good range of jobs, and easy access to stores and services to meet daily needs", as they are only accommodating ground related housing on the whitebelt lands.

4) Lands identified for residential expansion in Vaughan (Blocks 27 & 41) are fragmented by greenbelt lands and other natural heritage features. They are headwater areas of the Don and East Humber River and home to the endangered Red Side Dace, in addition to many threatened species (flora and fauna eg. Butternut). The east portion is also an important linkage area to the Oak Ridges Moraine from the Don. These areas have very high ecological value, are important wildlife habitat and provide an important linkage function. Development at the 70 persons and jobs per ha on this fragmented land, preserving the endangered red side dace habitat and ensuring the requirements of the Greenbelt must be demonstrated.

An urban boundary expansion is being proposed without any analysis of whether or not the proposed lands can accommodate development in an environmentally and financially sustainable manner. The expansion is being approved with justification to follow. In the spirit of the Places to Grow Act, we believe this process should be reversed.

Section 2.2.8.2 d) "where applicable, the proposed expansion will meet the requirements of the Greenbelt, Niagara Escarpment and Oak Ridges Moraine Conservation Plans"

Section 2.2.8.2 e) "the existing or planned infrastructure required to accommodate the proposed expansion can be provided in a financially and environmentally sustainable manner."

5) Agriculture is an existing use on these lands and a recently completed LEAR show that some of the highest rated agricultural lands in York Region are in the areas designated for urban expansion in Vaughan.



As there are alternatives to accommodate the growth this expansion is not consistent with Places to Grow Section 2.2.8.2f) "in prime agricultural areas: ii. There are no reasonable alternatives that avoid prime agricultural areas, and g) "impacts from expanding settlement areas on agricultural operations which are adjacent or close to the settlement areas are mitigated, nor Section 4.2.2.1 "will identify prime agricultural areas...and where appropriate, develop additional policies for their protection.

It is disappointing that both York Region and Vaughan are planning this urban boundary expansion in full knowledge that they are allowing for much more growth in Vaughan than has been allocated. The whitebelt land currently provides many services to the citizens that will be lost if it is utilized at this time for unnecessary housing. It may be necessary in the future to allow an urban boundary expansion, however to do one now would be premature and wasteful. The proposed urban boundary expansion runs counter to many of the guiding principles in PPS Section 2 — Wise Use and Management of Resources and Section 3 -Protecting Public Health and Safety, and should not be allowed to proceed at this time until a proper management plan is produced on how this area will be developed and will function within the context of the City, in a financially and environmentally sustainable manner.

Sincerely,

Deb Schulte – Co- Chair Friends of Boyd Park Sony Rai – Sustainable Vaughan

Attached report contains the following sections:

- Part 1 A) Incomplete Housing Analysis used to Justify Urban Boundary Expansion
 - B) Missing Ground Related Housing from Intensification Areas and Apartments from Greenfield Development
 - C) Apartments not Shown in White Belt
 - D) The Vaughan Official Plan does not Comply with the Places to Grow Act
- Part 2 A) York Regions Growth Goals Contravene the Places to Grow Act
 - B) No Public Debate as to the Direction of Growth
- Part 3 A) York Region is forecasting the Wrong Housing Options
 - 8) Secondary Suites have not been identified in the Official Plan
 - C) Urban Growth Numbers for Vaughan Metropolitan Centre Require a Review
 - D) Actual High Density Housing Demand not properly considered by Hemson
 - E) High Density Housing Applications are already surpassing the Consultants forecast



Part 1:

A) Incomplete Housing Analysis used to Justify Urban Boundary Expansion

York Region has not identified that there are six intensification figures within Vaughan's built boundary not represented in Vaughan's Official Plan. In Table 2 of the Hemson report, "Housing Analysis and Employment Land Needs, Final Report" the consultant has left out housing numbers from; Weston and Highway 7, Bathurst and Centre Street south side, Vaughan Mills, Jane and Major Mackenzie Drive, Concord Go Station, and Dufferin and Centre Streets. These missing areas are some of the most significant areas for future growth in the City Vaughan.

These intensification areas have not been included in the final housing unit count for the Official Plan. By allowing six intensification figures to go unaccounted for, York Region has misrepresented its Official Plan's compliance with Vaughan's Official Plan. If the Region had revealed these missing numbers, the Province would have realized that the York Region Land Budget Forecast is flawed. There are already applications brought forward to the city for high density development in most of these areas. One of these applications (OP.08.005) at Highway 7 and Weston Road is proposing 1050 housing units. 1050 housing units are hidden from the public while an urban boundary expansion is been proposed.

Once the six missing intensification areas are accounted for, Vaughan will have growth that far exceeds what the Region has asked of it. Vaughan will may have 60% of all new growth in intensification areas, not the 44% Vaughan Council keeps misrepresenting to the media and to the public. The City may accommodate approximately 115% of the growth the Region has forecasted.

The Official Plan is in non compliance of Part 2.2.3 2 a) of the Act.

2.2.8 2a) sufficient opportunities to accommodate forecasted growth through intensification and in designated greenfield areas, using the intensification target and density targets, are not available:

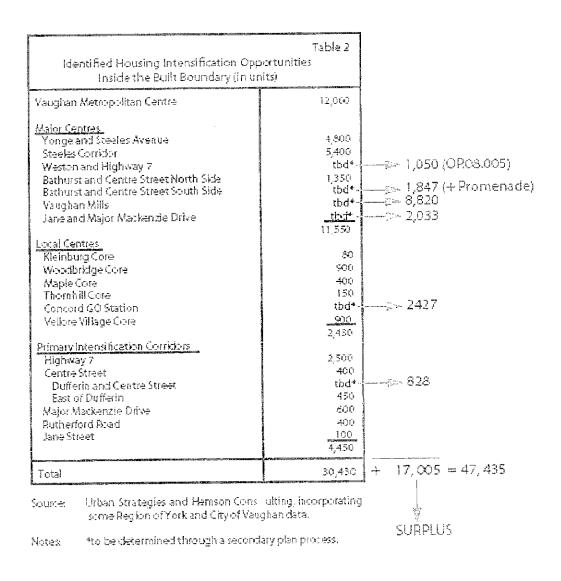
Are we to believe no new housing will be built in these six areas in the next 20 years? According to the Hemson report, "For the purposes of this analysis, some of the unit potential for the major centres is not shown, since this is to be determined later through more detailed secondary planning." (Hemson Page 8) There are no secondary plans for the areas with missing numbers, nor have there been any secondary plans conducted as a part of the new official plan.

An urban boundary expansion is being suggested without a full tally of all new growth within the existing built boundary. The City of Vaughan is planning an urban boundary expansion by excluding entire areas of future population growth in the city. The City is prepared to sprawl first, and then it will provide the missing housing numbers at some later date. Making intensification areas subject to secondary plans to be determined at a later date does not mean these areas can simply be eliminated from the total growth numbers for the City. Unfortunately, this is exactly what has happened.



If the housing inventory numbers from the "Where and How to Grow report (Urban Strategies)" are used in place of the missing numbers we quickly see that in fact the City of Vaughan's growth will far exceed the total population numbers allocated by the Region.

Hemson Report, "Housing Analysis and Employment Land Needs, Final Report" Table 2



There is an exact figure of 9630 housing units that have been allocated for the white beit. An exact housing figure for outside the built boundary has been created without a total figure provided for inside the built boundary. By failing to provide all the housing numbers and types for intensification areas



Inside the built boundary, while at the same time justifying an urban boundary expansion, the City of Vaughan is contravening the intent of the Places to Grow Act.

8) Missing Ground Related Housing from Intensification Areas and Apartments from Greenfield Development

Hemson Report, "Housing Analysis and Employment Land Needs, Final Report" Table 6

Vaughan Housing Demand		Table 6
	Units	
Total units added 2005–31	65,180	
Where will the new units be located?		
In fill of remnant vacant lower density sites within built boundary	496	2,320
Intensification units within the built boundary	44%	29,300
Units provided through greenfield development		
Total new unit growth	525	3456
1 2 000 17 2 30 40 17 20 20 20 20 20 20 20 20 20 20 20 20 20	10046	(66,180)

Source: Begion of York and Hemson Consulting Ltd.

Note: Totals may not add due to rounding.

The Hemson report identifies a built boundary intensification capacity of 30,430 new housing units in the intensification areas it has included, however the number has been reduced to 29,300 when estimating housing demand. Infill development has been estimated at 3,400 units, however it has been reduced to 2,320 and the row house capacity has been ignored. A total of 31,620 from inside built boundary was identified.



Another 31 630 housing units can be built on greenfield land within the existing urban boundary, however it has been reduced to 24,930. Hemson concludes that only 24, 930 housing units in the Greenfield will be built by 2031, after removing 70% of the apartment units. The remaining 9630 units must be accommodated in the white belt (Hemson Table 7). The 9630 housing units are intended to be more traditional ground related housing units hopefully meeting the minimum density requirements allocated by the province.

Hemson Report, "Housing Analysis and Employment Land Needs, Final Report" Table 7

Greenfield Unit Demand	land Supp	dy Analysis	Table7		
2006 to 2031					
	Ground Related Units	Apartment Units	Total Units		
How much cotential supply is available?					
Greenfield supply from Table 4	22,040	9,590	<u> </u>		
How much of the supply can reasonablely be expected to be built by 2031?					
Share Supply built by 2031	100%	30%	্ৰুজন্		
Units built by 2031	22 _, 040	2,890	(24930)		
How many units are needed on new urban land?					
Greenheld demand	31,670	1,890	34,560		
Less supply built by 2031	<u>(22 040)</u>	(2.650)	(24 930)		
Units to be accommodated on new urban land	9 _, 630)	(<u>9,630</u>)		

Source: Region of York and Hemson Consulting Ltd.

TROUGH BUTTES ARTHUR BURTSCH MUNISTERN TOUGH



The City claims that it must provide an adequate number of ground related housing units, because there is a stronger demand for this type of housing. Demand for ground related housing is not a justification for an urban boundary expansion in the Places to Grow Act.

By excluding the six intensification areas, the consultant has removed a significant proportion of ground related housing in the form of row houses from within the built boundary. Table 8 from the Hemson report identifies 3370 new row houses that are shown accommodated in the white belt. Row housing has been eliminated in the six missing intensification areas in the built boundary and has been added to the white belt.

Once the missing six intensification areas are included in the Official Plan, the city will have an abundance of ground related housing units in the form of row housing.

Hemson Report, "Housing Analysis and Employment Land Needs, Final Report" Table 8

Table 8 All Housing Growth by Type, 2006–2031					
Management and company of all property of the company of the compa	Single & Semi	Row	Apt	Total	
Inside Built Boundary,	2,320	6,720	22,580	31,620	
Existing Greenfield	18,250	3,790	2,890	24,930	
New Greenfield	6,260	(3,370)	<u> </u>	9,630	
Sub-Total	26,830	13,880	25,470	66,180	
Share (%)	40,6%	20.9%	38.5%	10096	



C) Apartments not Shown in White Belt

Only ground related housing is being proposed within the whitebelt. There are no apartments being indicated in the whitebelt in the City of Vaughan's Official Plan. York Region identifies a total of 870 apartment units in table 5 of The Land Budget Report from March 2010. By eliminating apartments, the City is creating more ground related housing then that identified by York Region. According to the Region's Official Plan the City is only required to accommodate 5220 singles and semis. The City is providing for 6260.

Table 5: York Region 2031 Whitebelt Area Unit Requirement by Structure
Type and Local Municipality

	Single	Seml	Row	Apt.	Total
East Gwillimbury	3,680	740	2,210	740	7,360
Markham	6,070	1,210	3,640	1.210	12,140
Vaughan	4,350	870	2,610	(_870_)	8,700
York Region	14,100	2,820	8,46D	2,820	28,200

Source: York Region Planning and Development Services Department, 2010

Note: Figures may not add due to rounding

D) The Vaughan Official Plan does not Comply with the Places to Grow Act

The City of Vaughan must provide the missing numbers in the six intensification areas and the Vaughan Metropolitian Centre before it adopts the Official Plan. The Official Plan exercise was intended to show how the city is expected to meet its growth obligations over the next twenty years. In excluding the six intensification areas, the city has not completed the official plan exercise. This Official Plan must not be approved by the Region and with an incomplete plan the City and York Region must not be allowed to expand the urban boundary.

It is imperative that a delay on an urban boundary expansion be implemented in order to allow the secondary plans referred to in the Hemson report be completed, establishing the true housing numbers within Vaughan over the next 20 years. Citizens of Vaughan deserve to have a completed Official Plan.

The Citizens of Vaughan have not been allowed to explore the options that would have provided these alternatives. Instead, we will be a city that will far exceed the 45% intensification within the built boundary while also expanding beyond our current built boundary.



Part 2:

A) York Regions Growth Goals Contravene the Places to Grow Act

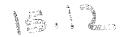
York Region prematurely explored an urban boundary expansion in 2008 long before any analysis of whether this expansion was required or not. York Region's desire for an urban boundary expansion contradicts the very spirit of the Places to Grow Act.

The region hopes to use development on White belt lands to help pay down its debt. York region is on the hook for one billion dollars due to the York-Durham Sanitary Sewer Southeast Collector, more commonly referred to as "The Big Pipe". This is the large infrastructure project that will connect York and Durham's sanitary systems. Due to infrastructure projects that promote urban sprawl such as the Big Pipe, York Region is carrying the highest per capita debt in the GTA. York Region doesn't seem particularly worried about the debt as they had a plan to dig themselves out of this hole as far back 2008. York Region's entire debt financing model is based on recuperating costs through development fees.

The Provinces Places to grow act is forcing municipalities to grow in a more compact way, focusing a minimum of 40% of new growth within existing urban boundaries. This will create higher density housing in the form of town homes and apartments. The region will receive an influx of development levies due of this type of development. The region also hopes to collect levies on traditional ground related housing. Development fees collected on a combination of single family home subdivisions, town homes and condos will help the region keep a continuous cash flow if there is a market down turn in one type of housing versus the other. York Region wants to expand the urban boundary in Markham, East Gwillimbury and Vaughan to increase land available for development. The more land available, the more development levies. In fact, the region estimates it will recuperate \$6.4 billion dollars through development charges.

The Region itself has made this the centre piece of its desire to expand the urban boundary. Report No. 2 of the Planning and Economic Development Committee Regional Council Meeting of March 25, 2010 (P. 9) states,

"There is a level of risk based on the forecast and land budget assumptions, related to development charges revenue stream. An urban area expansion is required to accommodate demand for the ground-related housing market. The forecast for high density units will require a significant shift in housing preferences for the Region's residents. A lower than anticipated growth rate for either the ground-related housing market or the high density housing market will result in a shortfall of projected development charges revenue. This will cause delays in capital cost recovery, impact costs for debt repayment and result in a potential deferral of elements in the capital Report No. 2 of the Planning and Economic Development Committee program."



B) No Public Debate as to the Direction of Growth

The two main consultants responsible for the creation of the Official Plan, Urban Strategies and Hemson, have both concluded that an urban boundary expansion is avoidable and that the city has a choice as to which direction it wishes to grow.

Urban strategies, How and Where to Grow (page 81)

"The existing urban area can therefore accommodate a minimum of 90% of the forecast housing demand to 2031.

The remaining 10% (6 350 units) of the forecast demand can be met through:

- additional intensification within the built boundary;
- additional development in the designated Greenfield;
- an urban boundary expansion; or
- a combination of some or all of the above"

Hemson, Housing Analysis and Employment Land Needs Final Report (Page 5)

"As set out in that background work, the City of Vaughan has considerable potential to accommodate residential growth through intensification. With significant intensification, approximately 85% of the City's forecast housing demand to 2031 can be accommodated within the existing urban area. The remaining 15% could be met through:

- additional intensification within the built boundary;
- additional development within the designated Greenfield area;
- an urban boundary expansion; or
- a combination of some or all of the above."

The Town of Markham had an open, public debate about the future of its white beit lands, allowing politicians, citizens, and the media to discuss that city's future. The politicians in Vaughan decided to forgo such a democratic process and instead have proposed an urban boundary expansion with no studies, public engagement or debate about such an important issue. Why are two cities within the same region allowed to deal with this sensitive issue so differently?

The City has gone on record as saying that they did have a very engaged public process. This is true, up until they proposed an urban boundary expansion. This is when the doors became shut to the public. There was no public involvement on the decision to open the white beit lands for development. The only time the issue did arise in the media was when Sustainable Vaughan became engaged. Vaughan



citizens have been denied the opportunity to discuss two of the options made available by the consultants, expanding the urban boundary or increased intensification within the existing boundary.

Part 3:

A) York Region is forecasting the Wrong Housing Options

The City of Vaughan's Social Services Report states, "With housing costs rising, income not keeping pace and a lack of diversity in housing choices, the ability of Vaughan residents to purchase a home is diminishing. In addition to rising housing costs, almost a third of Vaughan's residents are spending more than a third of their income on housing. The proportion of people spending more than 30 percent of their income on housing, an important measure of affordability, is 27.5 percent in Vaughan".

According to Real Estate Vaughan (http://www.realestatevaughan.ca/), the average cost of a single family detached house selling in Vaughan for the month of June was \$642.791. The average cost of a semi detached home on sale that same month was \$419.143. These are not affordable options. Town homes sold for an average of \$381.565, less expensive but hardly a bargain.

York Region's forecast for housing typology is wrong for Vaughan. The Region's forecast calls on Vaughan to add 60 180 housing units. Of this total, the Region wants Vaughan to allocate 40% of this for single and semi detached family homes, and 44% to apartments. Only 17% of all new growth in Vaughan for the next 20 years will be row housing. The most affordable ground related housing option will be the least available housing typology in the next 20 years.

Hemson states in its housing report,

"One of the advantages that the City of Vaughan has in this regard is the potential for a relatively large supply of row house units, which are somewhat better suited for families than apartment units. Any opportunities for intensification that are based on row housing rather than apartments are more likely to be successful in the marketplace in the near term and, therefore, more likely to contribute to the desired outcomes for the long-term planning of the City."

85% of the city's current housing stock is of the unaffordable type, single family homes. Yet York Region is planning for 40% of new growth to be more of the same. It is not single and semi detached homes that should comprise 40% of housing types. 40% of new growth should be comprised of row housing.

The 5220 single and semi detached housing units the region has allocated for the White belt should instead be row housing units in the intensification areas. Vaughan has ample room to find a place for these units because the Official Plan is missing six intensification areas yet to be allocated housing unit totals. This is why there is an urban boundary expansion. The Region has allocated too high a number of single and semi detached homes and has allocated too low a number of town houses and apartments.

Urban Strategies has stated in "Where and How to Grow- June 2009-pg. 72"—"It has been shown in Section 4.2 above that there is an oversupply of capacity for residential intensification within Vaughan's built boundary. This extensive supply of underutilized lands also means that there is the opportunity for

And the second s

large portions of it to be developed with grade-related housing forms such as townhouses and stacked townhouses, in addition to the expected apartment-style forms." This analysis was ignored in subsequent reports as it did not support York Region's demand for an urban boundary expansion.

If York Region is looking to recuperate costs through a mix of ground related and apartment units, why has it created such a low forecast of row housing? Increasing the number of row housing will undermine the regions plans for an urban boundary expansion. A high forecast of single and semi detached housing is needed to push the case for an boundary expansion.

B) Secondary Suites have not been identified in the Official Plan.

Vaughan council has created a Secondary Suites Task Force to look at the potential of allowing secondary suites within the City. Secondary suites, such as basement apartments are currently illegal in the city.

Vaughan itself recognizes the need for Secondary Suites as a part of its affordable housing policy. This type of approach takes pressure off the city to create and regulate affordable housing. "A recent York Region study found that more than 3,400 households are waiting on housing geared toward lew-income families. About 10 per cent of our population is living in poverty, particularly in Woodbridge. Maple and Thornhill, and there are 7,000 single-parent families in Vaughan." The fact that secondary suites already exist but are not regulated for safety is another factor that has lead to the creation of this study.

It is hard to imagine the City of Vaughan continuing with its policy of banning secondary suites over the next twenty years. The City will need to accept this reality as it grows to become more urban. Secondary suites will be a reality in Vaughan before 2031. What needs to be discussed is how many units of housing secondary suites will be able to create.

A five year moratorium on an urban boundary expansion will allow the City's Secondary Suites Task force to conclude its work and potentially move forward with legalizing and regulating secondary suites. The potential number of secondary suites available should be included in the total Vaughan housing count.

C) Urban Growth Numbers for Vaughan Metropolitan Centre Require a Review

The Places to Grow Act identifies 25 Urban Growth Centres (UGCs) as strategic focal points for growth and intensification. The Vaughan Metropolitan Centre (VMC) is among them. "UGCs will be planned as focal areas for investment in institutional and region-wide public services, as well as commercial, recreational, cultural and entertainment uses." UGCs like the VMC have been assigned a growth target of 200 people and jobs per hectare by 2031. The density requirement allocated by the Province for the VMC is too low.

The VMC will have both a new subway stop connecting Vaughan to Toronto and a rapid transit line connected Vaughan across York Region. There has been no growth forecast conducted for the Vaughan Official Plan which identifies the effects this type public transit infrastructure will have on high density demand and development.



According to the Places to Grow Act, the VMC is to have identical density targets as downtown Milton, Kitchener and Pickering. Vaughan's downtown and Milton's downtown have nothing in common. The problem with the Urban Growth Centre category is that there is no proper designation for a Growth Centre which borders Toronto and which also shares major public transit infrastructure connected to that city. The VMC must not be treated the same as UGCs an hour outside of Toronto.

The Places to Grow Act was established in 2006 and the Spadina Line Subway extension was not official during the creation of the Act. The official announcement and funding guarantees for the subway extension where established after the release of the Places to Grow Act. Therefore, the creation of the VMC UGC was not properly considered in the context of the Places to Grow act. A second review of the density targets is warranted.

The VMC must accommodate 200 people and jobs per hectare by 2031 equalling 25000 people and 12 000 housing units over an area of 179 hectares. This density results in 69 housing units per hectare. A density of 77 housing units per hectare will create a neighbourhood of four storey row houses. This is hardly the bustling metropolis the city of Vaughan is promoting to its citizens. This density is more appropriate in a city such as Milton.

In reality the VMC should be allocated with the same density targets as The Etobicoke Centre, 400 people and jobs per hectare. Both the VMC and the Etobicoke Centre are suburban areas with subways (Vaughan by 2017). Etobicoke is the low-rise suburb to the west of Toronto, just as Vaughan is the low-rise suburb immediately north of Toronto. Both are also located close to major highways and employment lands and both are equal distance to the airport. The Etobicoke Centre has a targeted density of 400 people and jobs per hectare, while Vaughan is allocated with half this number. The VMC will be a major regional hub while also being connected to the city of Toronto, making it very unique as an Urban Growth Centre. In fact the VMC has greater potential to develop denser then the Etobicoke Centre due to the fact that it is not surrounded by single family suburban homes as the Etobicoke Center is north and south of Bloor.

The VMC UGC density must be changed. In analyzing two existing development applications for high density development inside the VMC (Al Palladini - OP.08.005 & Royal Empress Gardens - OP.06.019 see appendix), 2985 housing units are already being proposed six years before the introduction of the subway.

With this type of development demand a five year moratorium on development in the white belt will allow the province time to assess whether it is realistic to keep the Urban Growth number for Vaughan equal to that of Milton, Kitchener and Pickering.

D) Actual High Density Housing Demand not properly considered by Hemson

In an analysis of existing applications for high density housing applications within the City of Vaughan, post 2006 it was established that the Vaughan Mills Centre, north of the VMC is already anticipated to be denser then Vaughan's future downtown.



The analysis discovered that the Vaughan Mills Centre will become far denser then the Vaughan Metropolitan Centre. The real downtown of the city will be located around a shopping mall and not the subway station. The city's own study of high-rise applications from the 2007 document "Jane Street Corridor, Residential Potential Land Use Review" was used to prove this fact. This study takes existing applications for high-rise developments into account. These are not minimum numbers such as those used by the consultants. These are real applications by real developers recognizing a real demand in the market for high density housing. What these numbers show is that the density of the Vaughan Mills Centre will far exceed that of the City's "downtown".

This analysis was conducted to show the type of density the development industry recognizes as viable within Vaughan. The willingness of developers to engage in these types of projects speaks about the demand and willingness buyers have. Bringing a development application forward to the city requires a great deal of funding commitments, work by consultants and analysis of market conditions. These applications are not brought forward on a whim.

Based on the applications in the report there are 6880 high density housing units on 18 hectares of land resulting in a density of 381 housing units per hectare. If we double the land area to accommodate for roads and open spaces we have a density of 191 housing units per hectare, if we double the land area again to accommodate for civic and institutional uses the result is a density of 95 housing units per hectare. The Vaughan Metropolitan Centre, based on the consultant's numbers gives us a density of 67 housing units per hectare. According to Urban Growth Centre numbers, The Vaughan Mills Centre will be denser then the Vaughan Metro Centre.

VAUGHAN HIGH DENSITY DEVELOPMENTS

Applications already submitted to the city

JANE AND RUTHERF			Number of Dwelling	
PROPERTY	Application File Number	Land Area (hectares)	Units Proposed	Units/Hecatre
	OP DE OOF	5.77	1730	300
Delišle 1992. Tesmai 1994.	OP.05.005 OP.05.020	1.67		
Casertano/Mammone	OP.07.001 OP.09006	6.98	3650	523
Solmar	OPA 626	3.604	900	250
Total		18.024	6880	381.71
Land Area Doubled	A STATE OF THE STA	36)	191.1
Doubled Again		772		95.5
VAUGHAN METROP	POLITAN CENTRE			1
VAUGITARITIETRO			Number of Dwelling	
PROPERTY		Land Area (Hectares)	Units Proposed	Units/Hecatre
		179	12000	6

What is significant about the Vaughan Mills Centre is that it has been identified by Metrolinx as a "destination". Destinations such as Vaughan Mills are "critical to the functioning of the transportation system" (Metrolinx Backgrounder page 3). Vaughan Mills is a very important piece of Metrolix's transit strategy for Vaughan and an area with increasing development demand. There is no reasonable justification for leaving this area out from the Secondary Plans.

E) High Density Housing Applications are already surpassing the Consultants forecast

The demand for high density housing in Vaughan is already far higher then what Hemson are allowing in the official plan. The City itself prepared a document looking at potential medium and high density developments in Vaughan between 2006 and 2007. The total of potential development equals a whopping 11 114 housing units.

Much of the justification provided by the consultants verbally is that they don't expect the high density growth in the VMC to happen in 20 years. In fact, Hemson believes only 27,400 high density housing units will become a reality by 2031. If we take the 6880 units in various stages in application from the Jane Street Corridor Study and add them to the applications at Weston Road and Highway 7, and the

Royal Empress Gardens development, there is a total of 9865 apartment units in existing applications. More than a third of the consultants forecasted high density numbers are potentially a reality seven years before the introduction of the subway line.

16.13

Hemson's analysis is surprising when you look at the Hemson Report from October 2008 "Vaughan Development Charges Final Report" In this document, Hemson states "Growth in rows and other multiples and in apartments has been particularly strong over the last 10 years growing by 200 per cent and 125 per cent respectively." (page. 44) This statement contradicts the Housing Analysis and Employment Land Needs Report where Hemson states "The key challenge to achieving intensification objectives...is to encourage a significant shift towards apartment units, one that the market on its own is unlikely to deliver." (Hemson P. 58)



WESTON CONSULTING GROUP INC.

'Land Use Planning Through Experience and Innovation'

February 16, 2011 File No. 4020

Regional Clerk's Office Region of York 17250 Yonge St. 4th Floor Newmarket, Ontario L3Y 6Z1

ATTENTION: Mr. Denis Kelly, Regional Clerk

Dear Sir:

Re: City of Vaughan Adopted Official Plan

4477 & 4455 Major Mackenzie Drive

City of Vaughan

As discussed in previous correspondence, we believe that the land use designation for the subject properties in the Adopted City of Vaughan Official Plan (2010) are inappropriate for a range of planning reasons that have been discussed in other correspondence submitted during and after the Official Plan approval process.

Despite our best efforts, City staff has declined to make the necessary changes to the Official Plan to allow for the proper development of the subject property. Based on this, we have been directed to appeal the City's Adopted Official Plan to the Ontario Municipal Board.

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

Yours truly,

Weston Consulting Group Inc.

Kurt Franklin BMath MAES

Vice President

Cc:

Bryan Tuckey, Commissioner of Planning (via email) John Zipay, Commissioner of Planning (via email) Diana Birchall, Director of Policy Planning (via email)

Jeffrey Abrams, City Clerk (via email)

Since 1981

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PLEASE REFER TO: Barry Horosko (Ext: 339) Email: bhorosko@bratty.com Caterina Facciolo (Ext: 293) Email: cfacciolo@bratty.com Telephone: (905)760-2700

February 7, 2011

Delivered via E-mail

Committee of the Whole 2141 Major Mackenzie Drive Vaughan, Ontario. L6A 1T1

Attention: Chair and Members of the Committee of the Whole

Dear Chair and Members of the Committee of Whole:

Re: Official Plan and Zoning Amendment Applications OP.08.005 and Z.08.022 7777 Weston Road, City of Vaughan 2159645 Ontario Inc. c/o Liberty Development Corporation

We are the solicitors acting on behalf of 2159645 Ontario Inc. (Liberty Development Corporation), with respect to the above referenced property.

We are writing to request that we be placed as a deputation on the agenda of the Committee of the Whole meeting scheduled for February 22nd at 1:00pm. The nature of the deputation is to request that the subject applications be processed for consideration by Council in advance of the preparation of the Highway 7 and Weston Road Secondary Plan.

Please find enclosed our letter addressed to the Mayor and Members of Council dated February 4. 2011 outlining the nature of the applications and our justification in proceeding ahead of the preparation of the Secondary Plan.

Yours truly,

BRATTY AND PARTNERS, LLP

Barry A. Horosko

encl:

See list attached cc:

Liberty Development Corporation
Peter Weston, Weston Consulting Group Inc.
Councillor DeFrancesca, City of Vaughan
Heather Wilson, City of Vaughan
John Zipay, City of Vaughan
Grant Uyeyama, City of Vaughan
Christina Napoli, City of Vaughan
Augustine Ko, Region of York

February 4, 2011 File No. 4654-1

Mayor and Members of Council City of Vaughan 2141 Major Mackenzie Drive Vaughan, Ontario L6A 1T1

Dear Mayor and Members of Council.

Official Plan and Zoning Amendment Applications OP.08.005 and Z.08.022 7777 Weston Road, City of Vaughan 2159645 Ontario Inc. c/o Liberty Development Corporation

Executive Summary

Liberty Development's applications are representative of the kind of development that the City envisions for this major intersection in the vicinity of the Vaughan Metropolitan Centre. The proposal has considerable merit by virtue of the site's location at a prominent corner at a Regional Corridor. Redevelopment of an obsolete use on the subject site for a "true" high density mixed-use development will support the planned transit initiatives and contribute to transforming Vaughan into an attractive, vibrant and sustainable city.

Liberty Development are herein requesting that Council resolve that the development applications at 7777 Weston Road can proceed for a Final Report notwithstanding Policy 10.1.1.4 of the newly adopted Official Plan for the following reasons:

- 1. The original applications were filed with the City in April 2008, which is outside the May 17, 2010 cut-off date to be eligible for consideration, as identified in Policy 10.1.1.10; and
- 2. The applications respond to the criteria and objectives identified in Policy 10.1.1.10 and Policy 2.1.3.2 of the new Official Plan, providing sufficient justification for processing the applications in advance of the secondary plan.

Introduction

We are the Planning Consultants acting for Liberty Development Corporation ("Liberty"), the owner of the above referenced site. We are writing to request that the above noted Official Plan and Zoning Amendment applications be processed for consideration by Council in advance of the Weston Road and Highway 7 Secondary Plan.

Since 1981

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This letter provides the justification for this request which demonstrates that the proposed development applications are generally compatible with the vision contemplated in the Official Plan; are significant in terms of its contribution to city-building; and that the proposal could be adversely affected because of any delay caused by having to adhere to the timing of a secondary plan process.

1.0 The Original Applications

On April 23rd 2008 applications were submitted to the City of Vaughan to amend the provisions of the City of Vaughan Official Plan (OPA No. 500) and to amend the City of Vaughan Zoning By-Law 1-88, to permit a mixed-use development.

As originally filed, the Official Plan Amendment (OP.08.005) proposed to amend the "Corporate Centre District" policies of OPA No. 500 (Corporate Centre Plan), as amended by OPA No. 663 to increase the maximum permitted Floor Space Index (FSI) from 2.5 to 5.0; and increase the maximum building height from 25 m to 114 m.

The accompanying Zoning By-law Amendment Application (Z.08.022) sought to rezone the subject lands from C2 General Zone to C9 Corporate Centre Zone and to permit the zoning exceptions required to implement the concept plan.

The Applications were required to facilitate the development of three high-density residential condominium buildings, consisting of 24, 28, and 32 storey towers on the property. The three buildings would provide a total of 1050 units. This development also proposed a one to three storey landscaped podium which included street related retail and office uses, and surface and underground parking.

The Applications were considered complete in May 2008 and a Public Meeting was held on June 3, 2008. A revision addressing the comments received was subsequently submitted on December 16, 2008, which included a revised development concept and various studies, including an Urban Design Brief and Master Landscape Plan, Wind Study, Functional Servicing Report, and an updated Phase 1 Environmental Site Assessment. An updated Traffic Impact Study, Noise Study and Shadow Impact Study were submitted to the City on March 10, 2009.

On June 23, 2009, the applications proceeded to the City of Vaughan Committee of the Whole. In the Staff Report of June 23, 2009, the City of Vaughan Development Planning Staff ("Staff") recommended that the OPA and ZBL Amendment for the property be approved. Specifically, it was indicated in the staff report that the Development Planning Department can support a maximum FSI of 2.5 and a maximum building height of 25 m, which are as-of-right permissions granted by the governing official plan (OPA #663) and the implementing C9 (H) Zone, respectively. However, the Development Planning Department proposed a framework within their recommendation for the consideration of additional density and building height to be included in the Official Plan without further amendment to the plan, based on a number of criteria including but not limited to, the submission of a complete Site

Development Application, a Planning Justification Report, Traffic Study and bonusing in exchange for community benefit, which would be reviewed to the satisfaction of the City and/or appropriate external agencies. There is a clear recognition by Planning Staff in 2009 that the applications could proceed under specific circumstances, in advance of a Secondary Plan.

No action was taken by Council as the Planning Report was adjourned sine die at the request of the current owner.

In August 2009, the subject lands were transferred from 1483969 Ontario Limited c/o Franco Palladini to 2159645 Ontario Inc. c/o Liberty Development Corporation. The new owner hired a new architect, the Kirkor Architects & Planners, to prepare a revised development scheme.

2.0 Revised Proposal

In November/December 2009, based on feedback received from the City, Region and other agencies, Liberty submitted a revised proposal which was supported by the following reports: (1) Planning Justification Report prepared by Weston Consulting Group, (2) an Urban Design Brief prepared by Kirkor Architects, (3) a Traffic Impact and Parking Study prepared by Cole Engineering, (4) a Noise Study prepared by Valcoustics, (5) a Wind Study prepared by Theakston Environmental Consulting Engineers, (6) a Functional Servicing Report prepared by Valdor Engineering.

The revised proposal is for a true mixed-use development consisting of two residential towers of 30 and 33 storeys, and one office tower of 10 storeys, all sharing a landscaped podium containing apartments and commercial and office uses. In particular, there is 2 storey retail building fronting Northview Boulevard, as well as a one storey office building above the two storey retail along Weston Road and a 2 storey office building above the one storey retail along Highway 7.

The proposed development has a ratio of 2:1 residential to non-residential, an optimal blend of uses for a successful mixed use development. The residential towers and podium would contain a total of 728 units. The podium would contain 11,977.31m² of commercial gross floor area, and 13,196.28m² of office gross floor area. The total gross floor area of the proposed development is 86,346.97m². The density of the proposed development was reduced to 4.48 FSI.

A total of 1530 parking spaces would be provided. Underground parking is proposed to be shared between all uses included in the development and is proposed to be located on up to three (3) levels below grade and one level at grade. All parking and loading areas are either below grade or at grade within the podium. Vehicular access to the site would be provided from Weston Road, Northview Boulevard, and Highway 7 (via the driveway on the adjoining lands).

The primary access points for the redevelopment of the site will include: a new full-movement access driveway to Northview Boulevard located immediately east of the existing site driveway, which will be closed; and a right-in/right-out access from/to Weston Road, which is currently operating as a full-movement access driveway. A secondary driveway connection is proposed to the existing private roadway along the site's east property line. This secondary access will also serve as the service/delivery driveway. An additional entrance is proposed for the east side of the property, by way of an existing private driveway that connects Highway 7 and Northview Boulevard. The existing right-in access driveway from Highway 7 to the private driveway is proposed to be expanded to a right-in/right-out access.

The proposed development is in close vicinity to the newly constructed and operating Highway 400 Overpass at Portage Parkway/Chrislea Road. The Highway 400 Overpass connects Weston Road to Jane Street and provides a key link in the road network for the area and proposed development.

The entranceways to the underground parking garage are located within the podium at the centre of the site. This location achieves efficiencies in the layout of the underground parking garage. In addition to the proposed underground parking, at-grade enclosed parking is proposed within the podium. Loading spaces are provided within the podium at the east side of the site. The loading spaces will be accessed via the driveway on the adjoining lands.

The organizational structure of the proposed development has strategically placed each of the proposed buildings to achieve pedestrian scaled built form and address height, noise and amenity issues. The proposed development complies with the airport zoning regulation.

The pedestrian scaled built form is achieved at street level by providing for street –side retail uses adjoining Highway 7, Weston Road, and Northview Boulevard. By placing retail uses alongside these roads, the design will create a vibrant streetscape that promotes pedestrian movement.

The bulk of the proposed development in terms of height is attributed to the proposed residential towers. However, the two towers have slender floor plates with typical floor area not exceeding 880 m² and a penthouse floor area not exceeding 750 m². With the elimination of one of the towers and the relocation of the two residential towers to the Highway 7 side of the site, the proposed residential towers will be located even further from the closest low density residential area. The closest tower will be approximately 470 metres compared with 409 metres previously. This significant separation distance confirms that there will be no overview or shadow impacts.

The revised applications were considered at a Public Meeting by the Committee of the Whole on February 2, 2010, at which time the Committee of the Whole directed that the applicant meet with staff, the Ratepayers Association and the Ward 3 Sub-Committee to discuss the concerns expressed by the deputants.

3.0 New City of Vaughan Official Plan

The new City of Vaughan Official Plan, adopted on September 7, 2010 identifies the Weston Road and Highway 7 intersection, including the Liberty lands, as a Primary Centre where intensification accommodated in the form of predominantly mixed-use high- and mid-rise buildings, developed at an intensity supportive of transit are encouraged.

It is our view that sufficient analysis was carried out during the Official Plan Review process to approximate the heights and densities. In fact, upon initial release of the Official Plan, a schedule was included (see attached) indicating a Floor Space Index of 5.0 and a height of 24 storeys for the subject property. While this schedule was later retracted and replaced with the need for a Secondary Plan, sufficient consideration had been carried out for the subject property to proceed on a site specific basis.

The subject lands are designated "High Rise Mixed Use" (Schedule 13-R). The maximum density and height have not yet been determined and is pending the completion of the Highway 7 and Weston Road Secondary Plan (Schedule 14-A). The proposed development however, is in keeping with the land use vision and objectives of the new Official Plan.

The new Official Plan contains a policy that does not permit amendments to the Plan or the zoning by-law where it has been determined that a Secondary Plan is required but not yet completed (10.1.1.4). It is not clear as to whether this policy is applicable to the subject applications. However, the new Official Plan provides some flexibility where it is appropriate for an individual application to proceed before the preparation of the secondary plan. Policy 10.1.1.10 indicates:

"Notwithstanding the policies concerning the Required Secondary Plan Areas identified in Schedule 14, Council may permit the continuance of processing of an existing development application submitted prior to May 17, 2010, when it is demonstrated to Council's satisfaction that the proposed development is generally compatible with the vision contemplated in the Official Plan; is significant in terms of its contribution to city-building; and that the proposal could be adversely affected because of any delay caused by having to adhere to the timing of a secondary plan process".

4.0 Request for Processing of Applications in Advance of Secondary Plan

At this time, we are requesting on behalf of Liberty Development Corporation, that a recommendation report be brought forward to Council authorizing staff to continue processing the official plan and zoning applications per the new Official Plan Policy 10.1.1.10. The justification for processing the applications is outlined below and responds to the criteria identified in the new Official Plan, Policy 10.1.1.10.

5.0 Justification for Request

Submission of Applications

The original applications were submitted in April 2008 with a revision in November/December 2009. This is prior to the May 17, 2010 cut off date to be eligible for consideration. The applications have been subject to two Public Meetings, one on June 3, 2008 and the other on February 2, 2010. It has been approximately 2 ½ years since the applications were filed and significant work and study has been undertaken in support of the development proposal.

Compatibility with the Vision of the New Official Plan

The City of Vaughan's new Official Plan contains goals and strategic directions that will aid City Council to shape the future of the City and guide its continued transformation into a vibrant, beautiful and sustainable City. Policy 2.1.2.1 states that it is the policy of Council:

"To establish a land-use planning framework and make decisions that will foster the continued transformation of Vaughan into a vibrant and sustainable city as articulated in Section 2.1.3 of this Official Plan and as specifically outlined in the main objectives of the Official Plan contained in Policy 2.1.3.2"

Policy 2.1.3.2 contains 12 objectives to address the City's main land-use planning challenges and to manage future growth. The approval of the Liberty applications would essentially advance nine of these objectives. The relevant objectives that would be advanced by the approval of the Liberty proposal are as follows:

(a) "identifying natural features, agricultural and rural areas where urban growth is not to be directed."

The subject properties are located within the exiting built-up area along a Regional Corridor and Key Development Area, where urban growth is directed by both the Region and City.

(b) "directing a minimum of 45% of residential growth through intensification and identifying Intensification Areas as the primary locations for accommodating intensification within Vaughan's built-up areas".

The subject lands are located in a designated Primary Centre which is one of the significant intensification areas to which growth is directed and development at an intensity that is supportive of transit will be located. The approval of the Liberty proposal will help the City to achieve the total demand for residential units within the built boundary to the year 2031.

(c) "ensuring that the character of established communities is maintained".

The proposed residential towers will be located a significant distance from the existing residential area to the north-west, with the closest tower being approximately 470 meters away. This significant separation distance confirms that there will be no overview or shadow impacts, and the character of the existing residential community will be maintained.

(e) "ensuring a sufficient supply of employment lands are maintained to support economic growth."

The Liberty lands are not located within an employment area. However, the development proposal will contain retail/commercial uses, as well as a significant office component that will supply jobs and contribute to Vaughan's economic growth. The proposed development has a ratio of 2:1 residential to non-residential, an optimal blend of uses for a successful mixed use development that will create on-site employment.

(f) "identifying a hierarchy of mixed-use centres to be developed in a compact form and at appropriate densities to support transit service and promote walking and cycling."

The proposed development is located at the north-east corner of Highway 7 and Weston Road, within the Highway 7 and Weston Road Primary Centre. A Primary Centre is at second rank within the hierarchy of Centres, with the Vaughan Metropolitan Centre (VMC) being at the top. Primary Centres are considered to be a significant location for accommodating predominately mixed-use high and mid-rise buildings, developed at intensity supportive of transit.

The Highway 7 and Weston Road intersection is a transportation focal point which currently accommodates routes for north/south and east/west bus services and has been identified by provincial and regional documents for major infrastructure investments. The location of the subject site as a Regional Corridor, within a Key Development Area and at a new transit stop makes this site appropriate to accommodate heights (i.e. 30 and 33 storeys) and densities (i.e. 4.48 FSI) that will help achieve compact urban form and transit supportive development, which are important objectives of Provincial, Regional and Municipal Policy.

(g) promoting public transit use by encouraging transit-supportive densities and an appropriate mix of uses along transit routes, and particularly at VIVA stations, GO stations and future rapid transit stations."

The subject lands are located within a Regional Rapid Transit Corridor and Regional Transit Priority Network (City of Vaughan Official Plan, Schedule 10). While the site is currently serviced by York Region Transit, VIVA and Toronto Commission bus routes, there are a number of transportation initiatives being undertaken by the Province, Region and City; which include the Highway 7 Rapid Transit and the University-

Spadina Subway Extension in the Vaughan Metropolitan Centre. Accordingly, Liberty's proposed high density mixed use development is at a significant location for promoting public transit which would be conveniently accessible to the residents who would live there. The proposed density and mix of uses will support the existing and planned transportation initiatives for the Highway 7 Corridor, and will also contribute to the long term vision of the Vaughan Metropolitan Centre.

(h) "providing for a diversity of housing opportunities in terms of tenure, affordability, size and form."

The housing stock in Vaughan's community areas is primarily low-rise residential dwellings. However, the proposed development will supply high-rise condominium units in an area that offers opportunities for a more intense urban form development, helping to diversify the housing stock in Vaughan and to transform the City into a vibrant and sustainable city as articulated in the Official Plan.

(i) "establishing a culture of design excellence with emphasis on providing for a high quality public realm, appropriate built form and beautiful architecture through all new development."

Liberty has prepared an Urban Design Brief in support of the development applications. This brief illustrates various elements of the development with emphasis on a high quality public realm and appropriate built form and architecture.

The development proposal enhances the public realm by integrating a public monumental featured piazza at grade and a landscaped courtyard on the 2nd floor podium with the overall architectural theme and built form. These elements join the greater city to the activities at the site, and bring residents and visitors together in the out-of-doors and create community.

The proposed monumental large open space featured piazza, at the intersection of Highway 7 and Weston Road could take the form of a fountain, sculpture, and/or a public art installation, and will guide pedestrians into the indoor glass atrium with the unity in paving pattern. The featured glass foyer serves as a link between the street activities as Weston Road and Highway 7 to the diverse garden community on the second floor. These features will be focal points providing for pedestrian activities at grade and circulation between the exterior and the internal space. By integrating streetscapes, landscaped elements and architectural treatments, the site has the potential to become a visual and cultural node. Streetscapes and sidewalks along Highway 7, Weston Road and Northview Boulevard will help define the edges of the site and create a friendly pedestrian atmosphere along the main streets.

The new Vaughan Official Plan designates the subject land as "High-Rise Mixed Use". The Official Plan defines high-rise building as a building that exceeds 12 storeys in height. The proposed development achieves the land uses and building

height envisaged in the "High-Rise Mixed Use" designation. By incorporating a mixture of land uses, high quality architecture and urban design principles, and an appropriately massed built form, the proposed development will achieve a high standard of community based design. The proposed height and small floor plate of the residential towers is desirable in terms of design and sustainability. The small floor plate essentially facilitates higher buildings but allows less consumption of land and more green space on the building lot; achieves a good relationship between the two buildings; and has less impact on the existing residential neighbourhood concerning overviews and shadows.

(j) "ensuring environmental sustainability through the protection of natural features and ecological functions and through the establishment of green development standards to be achieved by all new development."

The Liberty development proposal will contain elements of sustainability and green development standards where appropriate. These include a green roof and large landscaped courtyard on the second floor podium, and a reduction in traffic as a result of creating a ratio of 2:1 residential to non-residential, an optimal blend of uses for a successful mixed use development. The proposal will also include components of a Leadership in Energy and Environmental Design (LEED) Building.

Significant Contribution to City Building

The approval of Liberty's proposal for high-density mixed use development will have a significant contribution to Vaughan's initiatives for city building by:

- Directing intensification (i.e. 728 units) in an area that is well served by existing bus routes, and where significant infrastructure in the form of public transit (i.e. VIVA Highway 7 rapid transit and the extension of the Spadina subway line) and road improvements are planned;
- Facilitating the transformation of Highway 7 from an arterial road to a mult-purpose transit supportive urban corridor that will not only serve this major intersection and the Vaughan Metropolitan Centre, but will link it together with various centres in other municipalities;
 - Providing additional variety in the type of housing choices and residential units available within the City of Vaughan. The Liberty proposal will help to diversify the type of housing available in Vaughan, which at the current time is primarily singles, semis and townhouses; and
- Providing a mix of uses that will provide housing, employment opportunities and commercial facilities so that the need to travel by automobile is reduced. The Liberty proposal provides a mix of uses for the site and close proximity of the site to existing employment uses will allow residents to live close to their place of work. This will contribute towards creating healthy, balanced and complete communities.

Approving the Liberty applications in advance of the secondary plan will have a significant contribution to city building. The Liberty Development proposal, will not only act as a catalyst for other mixed use projects to develop in this important corridor, but it will also support future investment in rapid transit.

Adverse Effects of Delay

It is our opinion that placing these applications in any further abeyance pending the completion of a secondary plan will only delay the need to achieve desired intensification objectives as identified in the new Official Plan. The owner is of the view that marketing conditions are receptive for a true mixed use proposal and they are anxious to proceed. Delays will jeopardize the owner's ability to pre-sale units while there are optimal market conditions to ensure a successful project.

A secondary plan exercise can take several years to complete, and there is no need to delay approval of applications that are compatible with the vision of the new Official Plan and more specifically, the Highway 7 and Weston Road Primary Centre. The new Vaughan Official Plan already assigns a High Rise Mixed Use designation on these lands and the proposed high-rise residential condominium, mixed-use development is in conformity with the City's vision for this area.

The owner is ready to proceed and has direct experience in mixed use developments in York Region. This project has the opportunity to be used as a model for other developments in the City and will also act as a catalyst for mixed use projects to be developed to help the City achieve its goals for intensification. It is also important to recognize the need to develop on this corridor in order to support the subway in the Vaughan Metropolitan Centre and the future VIVA rapid transit system.

The owner has undertaken extensive study of this area, and is currently in the process of updating their traffic study to include a comprehensive study that will address development on all four quadrants of the Highway 7 and Weston Road intersection, as well as looking at pedestrian movements and various traffic improvements. The information and knowledge that is gained through Liberty's site specific applications will lay the ground work for the secondary plan exercise for this area.

Other Considerations

These applications arise from submissions made in April 2008, long before the new Official Plan. Policy 10.1.1.5 purports to freeze applications already underway, which is contrary to the establish case law at the Ontario Municipal Board (i.e. clergy line of cases). While we believe that it is relevant to establish the Official Plan in the review of the applications filed, it is irregular to suggest that a new Official Plan would result in a single freezing of a 2 ½ year application. It is important that reasonable steps are taken to facilitate the timely processing of development applications.

We emphasize that the application was made approximately 2 ½ years ago and that the applicant, the municipality and the public have invested a considerable amount of time in proceeding to the point at which we have now arrived. We point out that as a response to this process, and other considerations, the applicant has made and submitted complete revisions to the concept and to the type of development being proposed. The applicant is also currently undertaking an area wide transportation study. The revisions and the work completed to date have been made at considerable cost and in good faith.

We find it unreasonable that the investment in the property, the application, and the process should be placed on hold for an extensive period of time, possibly over a 2 year time frame, to integrate this development into plans for other land holdings, for which no applications have been made. We anticipate negligible interest by some parties in a costly secondary plan process since many landowners are sitting on relatively new income generating properties.

In light of the above, we feel that we have earned the right to an expeditious process. An expeditious process and the redevelopment of an obsolete use on the subject property would be of significant value to the municipality.

Conclusion

Liberty has been patient in the processing of their own site specific application and with the City's Official Plan review. Tremendous work and effort has been undertaken to date and Liberty is anxious to continue working with all levels of staff and members of the public in order that the processing of their applications continues.

As indicated above, the work completed to date illustrates that the Liberty applications qualifies with the criteria set out in the new Official Plan, and is therefore appropriate to proceed before the preparation of a secondary plan. The Liberty proposal has considerable merit and is the type of development that is appropriate for this major intersection and that the City envisions in this Primary Centre.

Accordingly, we request that Council provide the required direction to staff and that a recommendation report be brought to Council requesting that the Liberty applications continue to be processed in advance of the secondary plan.

Yours truly,

Weston Consulting Group Inc.

Per:

Peter J. Weston, M.A. MCIP, RPP

Principal

Cc. Fred Darvish and Lezlie Phillips, Liberty Development Corporation
Cliff Korman, Kirkor Architects
Barry A. Horosko, Bratty and Partners, LLP
Heather Wilson, City of Vaughan
John Zipay, City of Vaughan
Grant Uyeyama, City of Vaughan
Christina Napoli, City of Vaughan
Augustine Ko, Region of York



WESTON CONSULTING GROUP INC.

'Land Use Planning Through Experience and Innovation'

February 8, 2011 File No. 5190

Mr. Bryan Tuckey Commissioner of Planning Regional Municipality of York 17250 Yonge Street 4th Floor Newmarket ON

ATTENTION: Augustine Ko

Dear Sir:

City of Vaughan Official Plan

Woodbridge Farmers Company Limited, Zzen Group of Companies, Seven 427

Developments Inc.

Highway 7 between Highway 50 and Highway 427

We are the planning consultant to the above companies which own land located north and south of Highway 7 between Highways 50 and 427 (herein referred to as the 'subject lands').

Under the new Official Plan the subject lands fall under several designations, including Commercial Mixed Use, General Employment, and Prestige Employment (Land Use Schedule 13-P). The lands designated Commercial Mixed Use are located within a Primary Intensification Corridor within an Employment Area to a consistent depth of 200 meters on both sides of Highway 7 between Highway 50 and Highway 427 (Schedule 13-P). The depth of the corridor is consistent with the Intensification Corridor policies previously recognized in OPA 660 and with our request in our letter dated May 17, 2010, as attached.

In partial response to our submission, the limitation on the retail component in the Commercial Mixed Use designation has been increased from maximum 50% to maximum 70%. This means that, at each stage of development, 30% of the constructed floor area would have to be devoted to offices and/or hotels. This is still potentially problematic since the demand for significant office/hotel development is not yet evident in this part of the Highway 7 corridor. We request that the limitations designed to leverage office and hotel development be eliminated. Office and hotels will be permitted uses and once the market demand for them emerges, they can and will be built. If there is no demand, they cannot be forced into existence by Official Plan requirements.

Since 1981

Vaughan Office:

201 Millway Avenue, Unit 19,

Vaughan, Ontario, L4K 5K8

Tel. 905-738-8080

Oakville Office:

1660 North Service Road East, Suite 114,

Oakville, Ontario, L6H 7G3

Tel. 905-844-8749

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

Please contact Sandra Patano (905-738-8080 ext. 245) if you have any questions.

Yours truly,

Weston Consulting Group Inc.

Per:

Alan Young BES MSc MCIP RPP

Senior Associate

Cc: Sam Speranza, Zzen Group of Companies

Paula Bustard, Seven 427 Developments Inc. Dennis Hayhoe, Woodbridge Farmers Company

John Zipay, City of Vaughan Diana Birchall, City of Vaughan



'Land Use Planning Through Experience and Innovation'

May 17, 2010 File No. 5190

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

Dear Sir.

Re:

City of Vaughan Draft Official Plan – April 2010 Highway 7 between Highway 50 and Highway 427

File# OP.25.1

Weston Consulting Group Inc. (WCGI) is the planning consultant for the Woodbridge Farmers Company Limited, Zzen Group of Companies, and Seven 427 Developments Inc., the owners of the subject lands located north and south of Highway 7 between Highways 50 and 427 (herein referred to as the 'subject lands'). See attached air photo for location of subject lands.

The subject lands are governed by OPAs 450 and 660, and fall within the approved Huntington Business Park Block Plan. OPA 660 identifies an Intensification Corridor straddling Highway 7, to a depth of 200 metres in each direction from Highway 7. Portions of the subject lands are located within this intensification Corridor and are designated "Prestige Areas – Centre + Avenue Seven Corridor".

WCGI has been monitoring the City's preparation of the new Official Plan as it relates to the subject lands. On Monday May 3, 2010, WCGI attended the City of Vaughan's Statutory Public Open House on the draft Official Plan. WCGI has also reviewed the draft Official Plan Volume 1 document (April 2010).

On behalf of our clients, WCGI offers the following comments on the draft Official Plan as it relates to the subject lands.

1. Proposed Land Use Designations

Under the draft Official Plan, the subject lands fall under several designations, including Commercial Mixed-Use, General Employment, and Prestige Employment.

(Land Use Schedule 13-P). The Commercial Mixed-Use lands would have a height limit of 10 storeys and a maximum density of 3.0 F.S.I.

The following are our comments on the proposed Commercial Mixed Use policies as they are proposed at this time. We reserve our overall opinion until staff respond to the comments below..

Depth of Intensification Corridor from Highway 7

The Commercial Mixed-Use designation in the draft Official Plan is intended to implement the Intensification Corridor policies previously recognized in OPA 660, but, as depicted on Schedule 13-P, it is generally only half the depth from Highway 7 (100 metres instead of 200 metres).

On the north side of Highway 7 between Highway 50 and Huntington Road, the intensification corridor is even shallower, i.e. only approximately 50 metres deep, which results in the complete removal of the intensification corridor from the Woodbridge Farmers lands.

We understand from staff that the above reductions in the depth of the Intensification Corridor were <u>not</u> deliberate.

We request that the 200-metre depth be maintained to provide more site planning flexibility for the future, and to allow more intensive uses on lands within waiking distance of the future Highway 7 rapid transit corridor. East/west roads, which form part of the approved Block Plan, are located 200 metres north and south of Highway 7, and will accordingly provide a suitable boundary for the Intensification Corridor, as contemplated in OPA 660.

3. <u>Commercial Mixed-Use Limitations</u>

The proposed Commercial Mixed Use designation would permit offices, hotels, retail uses and gas stations (9.2.2.7(b)), and states that "retail uses shall not exceed 50 percent of the total gross floor area of all uses on the lot." (9.2.2.7 (c)).

The proposed designation would significantly reduce the range of permitted development opportunities from what is allowed by OPA 660. No service commercial or recreational uses would be allowed. Retail uses would only be allowed in conjunction with offices or a hotel, the demand for which is not yet evident in this part of the Highway 7 corridor. The policies would, accordingly, allow only the desired "end-state" for this intensification corridor, not a gradual evolution towards that "end-state".

We request that the range of uses be significantly broadened to reflect the current policies in OPA 660, and that the limitations designed to leverage office and hotel development be eliminated. Office and hotels will be permitted uses and once the market demand for them emerges, they can and will be built. If there is no demand, they cannot be forced into existence by Official Plan requirements. More thought needs to be given to development staging.

We request that the above comments be considered in the preparation of the City's Official Plan.

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

Yours truly,

Weston Consulting Group Inc.

Per:

Alan Young, BES MSc MCIP RPP

Senior Associate

Sandra K. Patano, MES MCIP RPP

Senior Planner

Cc: Sam Speranza, Zzen Group of Companies

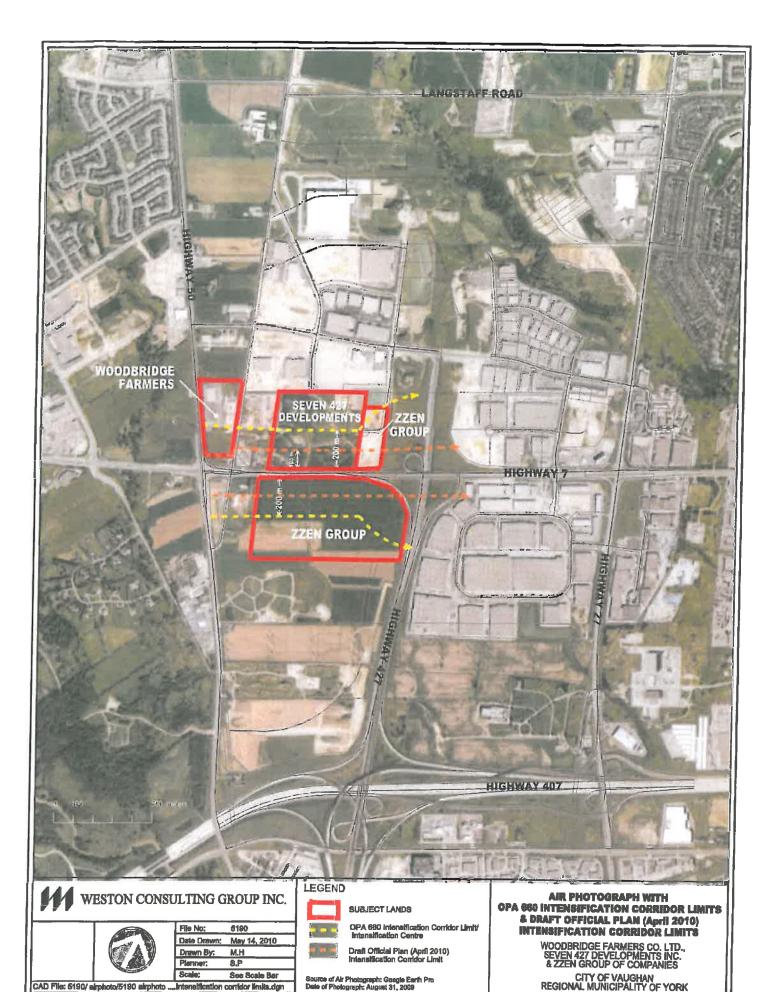
Paula Bustard, Seven 427 Developments Inc.

Dennis Hayhoe, Woodbridge Farmers Company

John Zipay, City of Vaughan Diana Birchall, City of Vaughan

Pino DiMascio, Urban Strategies

Emily Reisman, Urban Strategies





Engineers Planners Project Managers

EMC File No.: 205102-PL

February 4, 2011

Via Email bryan.tuckey@york.ca and Mail

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

Attention:

Bryan Tuckey, MCIP, RPP

Commissioner, Planning and Development Services

Dear Sir:

Re:

'Adopted' City of Vaughan Official Plan (2010)

Enza Realty Limited (Domenic Marzano)

Kleinburg Lower Village Proposal

Part Lot 24, Concession 8

(south-east quadrant Highway 27 and Nashville Road)

Community of Kleinburg, City of Vaughan

Regional Municipality of York

Please be advised that we act as the land development planning consultants on behalf of the owner of the above-noted holdings within the City of Vaughan. Subsequent to the September 7, 2010 'adoption' of the new City of Vaughan Official Plan document by City Council, we requested:

- 1. receiving the 'notice of decision' associated with Region of York approval of the local Official Plan (October 12, 2010 letter to Denis Kelly, Regional Clerk attached for easy reference); and
- 2. a change to the land use designation on Schedule 13-G: Land Use contained within the City of Vaughan Official Plan document (December 8, 2010 and January 17, 2011 email transmittals to Diana Birchall, Vaughan Director of Policy Planning and Urban Design also attached for easy reference).

The above-noted correspondence was coupled with previous submissions to the City of Vaughan (letters dated August 6th, August 25th and September 1st, 2010) as part of our review of the 'draft' version of the Official Plan (April 2010) and leading to the adoption of the 'final' Official Plan (September 2010) document. Copies of such correspondence can be provided if and as required for Regional Planning staff review purposes.

Additionally, a formal review meeting was convened with senior City of Vaughan Planning Department staff on October 18, 2010 in order to introduce the proposed Kleinburg Lower Village development concept and to pursue our concerns relative to the 'adopted' Official Plan (2010) land use designation, as well as associated policy (height and density / FSI) provisions.

File No.: 205102 York Planning February 4, 2011 Page 2

As indicated in the attached copy of Vaughan Official Plan (2010) Schedule 13-G: Land Use (September 2010), as 'adopted' by City Council, the subject lands are being proposed to be designated as "Natural Areas". However and as depicted on the attached copy of Vaughan Official Plan (2010) Schedule 13: Land Use (April 2010) and illustrated in the accompanying enlargement of same, the subject lands were previously designated as "Low-Rise Mixed-Use" in the 'draft' Plan document released in April 2010 as part of the public consultation and review process.

Given previous regulatory approvals associated with the subject lands, the "Natural Areas" (September 2010) designation appears to be inaccurate and even wrong, while the "Low-Rise Mixed-Use" (April 2010) land use designation would be both appropriate and right. As such and as the Region of York deliberates on the new proposed City of Vaughan Official Plan (2010) document as part of the review and approvals process, and prior to approving the Plan document, we respectfully request that the subject lands be subject to a 'modification' associated with Schedule 13-G: Land Use and redesignated to the appropriate "Low-Rise Mixed-Use" land use designation accordingly.

Such a 'modification' would also reflect local Official Plan Amendment (OPA) No. 633, being the Kleinburg Core Are Policy Review initiative, which was adopted by City Council on May 23, 2006, approved by York Region on March 29, 2007 and subsequently approved by the Ontario Municipal Board (OMB) on October 5, 2009, wherein the subject lands are designated as "Mainstreet Commercial". A copy of Schedule '3' to OPA #633 is also attached for easy reference.

The 'modification' to the appropriate "Low-Rise Mixed-Use' designation within an approved Vaughan Official Plan would reflect and parallel the previously articulated intent for the subject lands under the OPA #633 "Mainstreet Commercial" designation as part of the municipal vision for the broader Kleinburg core area and the overall mainstreet corridor.

We understand that the local Official Plan has now been forwarded to the Region of York, as the approval authority, and as such, we formally request:

- 1. being notified of the preparation, as well as receiving any Regional Planning Department staff reports and the 'draft notice of decision' (proposed modifications and deferrals) related to the proposed City of Vaughan Official Plan;
- 2. being notified in advance of scheduled dates as to Regional Planning & Economic Development Committee and/or Council consideration of the Plan document;
- 3. an opportunity to convene a review meeting relative to the subject lands and the requested 'modification' with both Regional and City Planning staff to address our submission comments; and
- 4. that City Planning staff confirm whether the intent of the Official Plan was to redesignate the subject lands as "Natural Areas" rather than "Low-Rise Mixed-Use" as per the



File No.: 205102 York Planning February 4, 2011 Page 3

Kleinburg mainstreet commercial vision or whether the land use designation on Schedule G: Land Use within the Vaughan Official Plan (2010) as 'adopted' is merely an oversight and an error of omission as part of the mapping exercise, and thus wrong and inaccurate.

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

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

Yours truly,

EMC GROUP LIMITED

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

attchs.

c.c. John Zipay, City of Vaughan Commissioner of Planning (<u>John.Zipay@vaughan.ca</u>) Domenic Marzano, Enza Realty Limited (<u>domenic@alphamarathon.com</u>)

Z:\205102\Planning\205102 YR PlgDept VOP Ltr Feb0411







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

Via Fax 1-905-895-3031

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

Attention:

Denis Kelly

Regional Clerk

Dear Sir:

Re:

Official Plan for the City of Vaughan (2010)

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

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

Yours truly,

EMC GROWP LIMITE

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

Senior Planner

c.c. York Region Planning & Development Services (Fax #1-905-895-3482)

Jeffrey A. Abrams, Vaughan City Clerk (Fax #905-832-8535)

Diana Birchall / Mauro Peverini, Vaughan Policy Planning (Fax #905-832-8545)

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Yurij Pelech

From: Yurij Pelech [ypelech@emcgroup.ca]
Sent: Monday, January 17, 2011 10:39 AM

To: '

'Diana Birchall'

Cc: 'Mauro Peverini'; 'Domenic Marzano'; 'filing@emcgroup.ca'

Subject: FW: #205102-PL Kleinburg Lower Village, Vaughan

Good morning Diana and Happy New Year! Wishing you and your staff the very best of everything that the New Year brings.

Further to our October 18th, 2010 meeting with respect to the Kleinburg Lower Village (Domenic Marzano) project proposal, coupled with our subsequent transmittal below, we would greatly appreciate an opportunity to discuss the:

- 1. 'adopted' Vaughan Official Plan process going forward (i.e. review and/or modifications) which will culminate with Region of York approval of the September 7th, 2010 Plan document; and
- 2. the specific land use designation (i.e. "Low-Rise Mixed-Use" rather than "Natural Areas") for the Marzano holdings at the south-east corner of 27 and Nashville Road.

Thank you very much for your attention to our request and should you deem it necessary to meet, we ask that you kindly please advise and we will attend at your office accordingly. Regards. Yurij

From: Yurij Pelech [mailto:ypelech@emcgroup.ca] **Sent:** Wednesday, December 08, 2010 12:26 PM

To: 'Diana Birchall'

Cc: 'Grant Uyeyama'; 'filing@emcgroup.ca'

Subject: #205102-PL Kleinburg Lower Village, Vaughan

Good afternoon Diana:

Just a quick follow up to our October 18th meeting (along with Watchorn Architects Inc.) with respect to the proposed conceptual development plan and proposal related to our client's lands situated at the south-east corner of Nashville Road and 27 within Kleinburg, and your indication that the September 7, 2010 VOP Schedule 13-G: Land Use designation 'was wrong', is the intent to deal with and correct same (i.e. to reflect OPA #633 and as previously depicted in the 'draft' April 2010 version of the Plan document) through a modification at the Region of York stage of review and approval of the Plan? Thank you very much. Regards.

Yurij

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

EM COROUP LIMITED

Engineers, Planners, Project Managers
7577 Keele Street, Suite 200, Concord, Ontario L4K 4X3
T.(905)738-3939 x239 F.(905)738-6993
E.ypelech@emcgroup.ca

To help us stop the spread of viruses, we request that all email sent to our office includes project name, number, and recipient's name in the subject line. CONDITIONS OF RECEIPT OF DIGITAL DATA

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September 2010

Vaughan PLAN

SCHEDULE 13

Land Use

Parks Private Open Spaces Natural Areas

Agricultural Rural Residential

Low-Rise Residential Low-Rise Mixed-Use Mid-Rise Residential Mid-Rise Mixed-Use High-Rise Residential High-Rise Mixed-Use

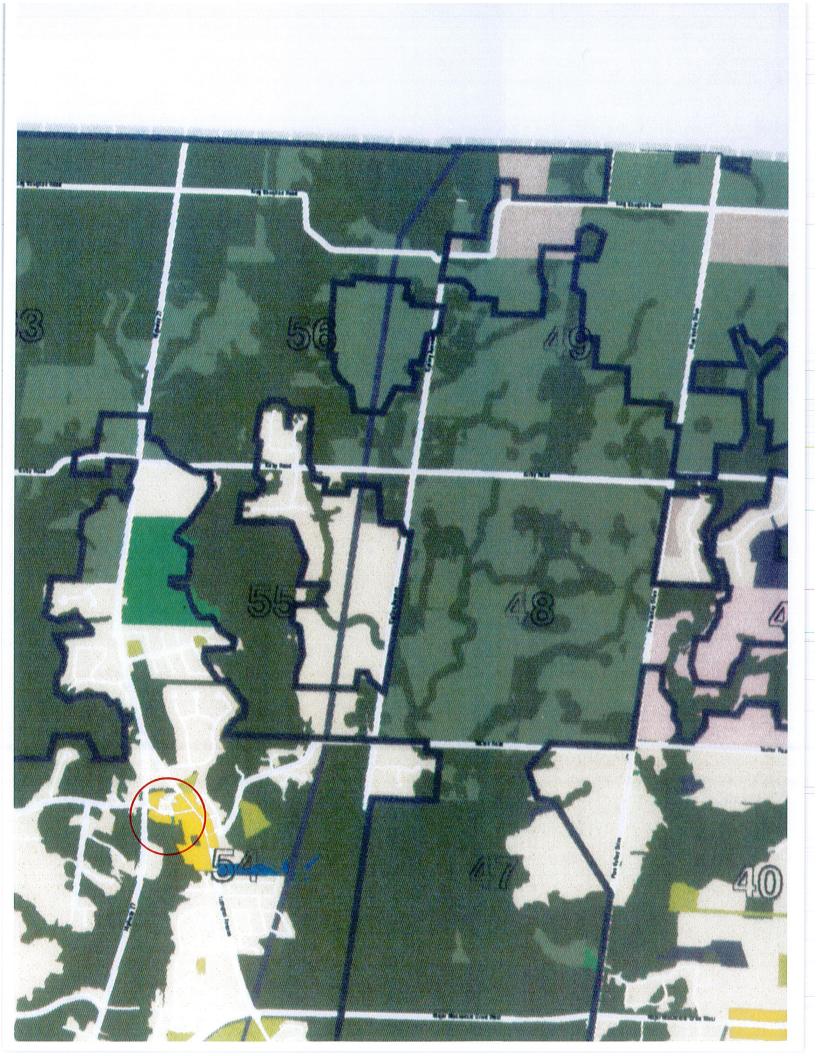
Commercial Mixed-Use Downtown Mixed-Use General Employment Prestige Employment Major Institutional

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

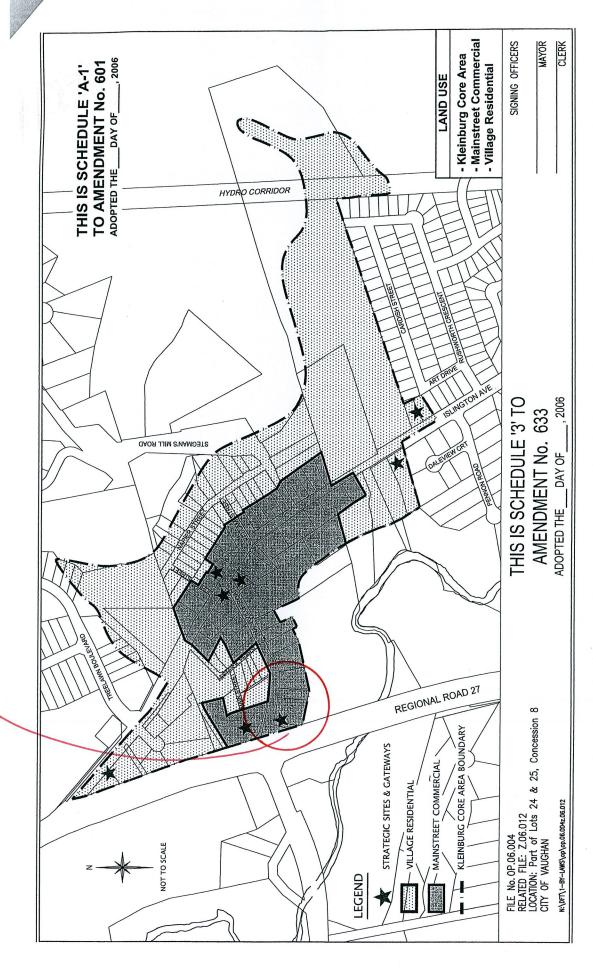
Greenbelt Plan Area and Oak Ridges Moraine Conservation Plan Area

April 2010

DRAFT (



subject





Engineers Planners Project Managers

EMC File No.: 210162-PL

February 3, 2011

Via Email bryan.tuckey@york.ca and Mail

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

Attention:

Bryan Tuckey, MCIP, RPP

Commissioner, Planning and Development Services

Dear Sir:

Re:

'Adopted' City of Vaughan Official Plan (2010)

7034 Islington Avenue Part of Lot 23, Plan 9691

(north-west corner of Islington Avenue North and Steeles Avenue West)

Community of Woodbridge, City of Vaughan

Regional Municipality of York

Please be advised that we act as the land development planning consultants on behalf of the owner of the above-note holdings within the City of Vaughan. Subsequent to the September 7, 2010 'adoption' of the new City of Vaughan Official Plan document by City Council, we requested:

- 1. receiving the 'notice of decision' associated with Region of York approval of the local Official Plan (October 12, 2010 letter to Denis Kelly, Regional Clerk attached for easy reference); and
- 2. a change to the land use designation on Schedule 13-Q: Land Use contained within the City of Vaughan Official Plan, 2010 document (November 29, 2010 email transmittal to Diana Birchall, Vaughan Director of Policy Planning and Urban Design also attached for easy reference).

As indicated in the attached copy of Vaughan Official Plan (2010) Schedule 13-Q: Land Use, the subject lands remain designated as "General Employment" while the adjacent surrounding lands immediately to the north and south are designated as "Mid-Rise Mixed-Use". We would suggest that retaining such an existing designation on the lands is problematic introducing issues of compatibility and does not represent good planning nor is based on sound planning principles.

As the Region of York deliberates on the new proposed City of Vaughan Official Plan (2010) document as part of the review and approvals process, and prior to approving the document, we respectfully request that the lands be subject to a 'modification' associated with Schedule 13-Q: Land Use and be redesignated to the more appropriate "Mid-Rise Mixed-Use" land use designation accordingly. In addition, the "Mid-Rise Mixed-Use" land use designation should also reflect the density and height policy provisions of the abutting lands, thus including the notation "H 9" and "D 2.75" on Schedule 13:Q to correspond with the vision for the abutting lands.

File No.: 210162 York Planning February 3, 2011 Page 2

We understand that the local Official Plan has now been forwarded to the Region of York, as the approval authority, and as such, we formally request:

- 1. being notified of the preparation, as well as receiving any Regional Planning Department staff reports and the 'draft notice of decision' (proposed modifications and deferrals) related to the proposed City of Vaughan Official Plan;
- 2. being notified in advance of scheduled dates as to Regional Planning & Economic Development Committee and/or Council consideration of the Plan document;
- 3. an opportunity to convene a review meeting relative to the subject lands and the requested 'modification' with both Regional and City Planning staff to address our submission comments; and
- 4. that City Planning staff confirm whether the intent of the Official Plan was to retain a remnant industrial employment designation surrounded by a mid-rise residential mixeduse lands or whether the designation on Schedule 13:Q was merely an oversight and an error of omission as part of the mapping exercise.

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

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

Yours truly,
EMC GROUP LIMITED

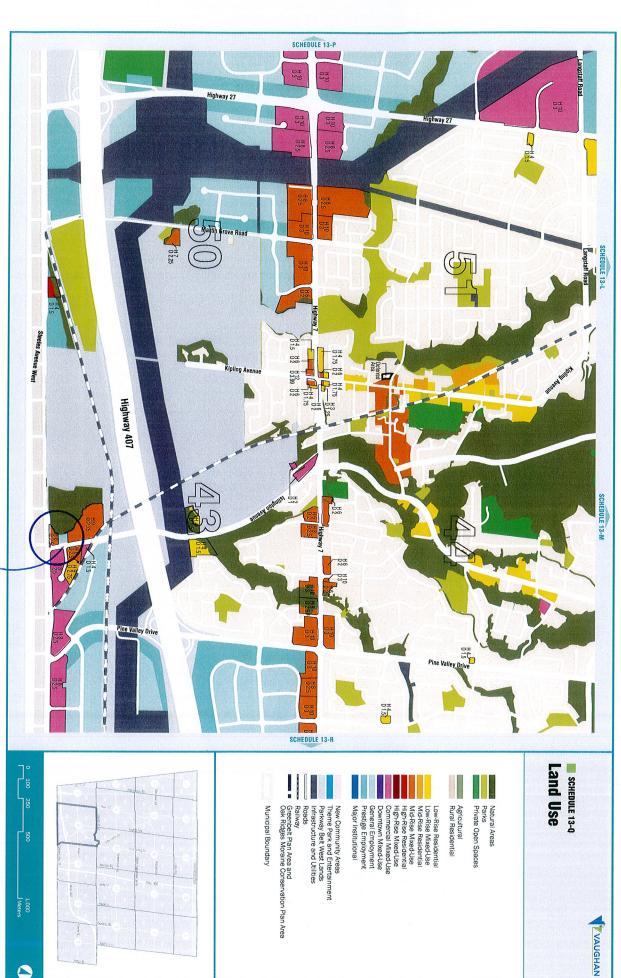
Yurij Michael Pelech, MA(PI), MCIP, RPP Senior Planner

attchs.

John Zipay, City of Vaughan Commissioner of Planning (John.Zipay@vaughan.ca) c.c. Mario Tedesco, Mardave Construction Limited (Mario.tedesco@mardave.ca)

Z:\210162\210162 YR PlgDept VOP Ltr Feb0311





September 2010



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

Via Fax 1-905-895-3031

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

Attention:

Denis Kelly

Regional Clerk

Dear Sir:

Re:

Official Plan for the City of Vaughan (2010)

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

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

Yours truly,

EMC GROWP LIMITE

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

Senior Planner

c.c. York Region Planning & Development Services (Fax #1-905-895-3482)

Jeffrey A. Abrams, Vaughan City Clerk (Fax #905-832-8535)

Diana Birchall / Mauro Peverini, Vaughan Policy Planning (Fax #905-832-8545)

Z:\204101\204101 YR ClerksDept Vaughan OP approval Itr Oct1210.doc

Yurij Pelech

From: Sent:

Yurij Pelech [ypelech@emcgroup.ca] Monday, November 29, 2010 9:45 AM

To:

'Diana Birchall'

Cc: Subject: 'Mauro Peverini'; 'filing@emcgroup.ca' Adopted new Vaughan Official Plan

Attachments:

OP Land Use Schedule 13-Q.pdf



OP Land Use Schedule 13-Q.pdf ..

Good morning Diana:

Please be advised that we have been retained by the owner of 7034 Inslington Avenue (situated on the west-side of Islington Avenue immediately north of Steeles Avenue West) to review and assess development opportunities for the subject lands under the new and recently adopted City of Vaughan Official Plan.

As indicated by the the attached copy of Schedule 13-Q: Land Use, the subject property is designated as "General Employment" while the surrounding lands to both the north and south are designated as "Mid-Rise Mixed-Use". As such, we ask that you kindly please confirm whether:

- 1. the intent of the new Official Plan was indeed to retain a small industrial employment designation surrounded by the new mid-rise mixed-use residential designation;
- 2. the designation was an oversight and an error of omission; and
- 3. the "General Employment" designation can be replaced with the more approipriate "Mid-Rise Mixed-Use" designation as part of a City and/or Region of York initiated "modification" to the Plan documnent as same is reviewed and considered for approval by the Region.

Thank you very much for your attention to our inquiry and should we need to meet to discuss the matter further, we ask that you please advise accordingly and we will attend as required. Regards.
Yurij

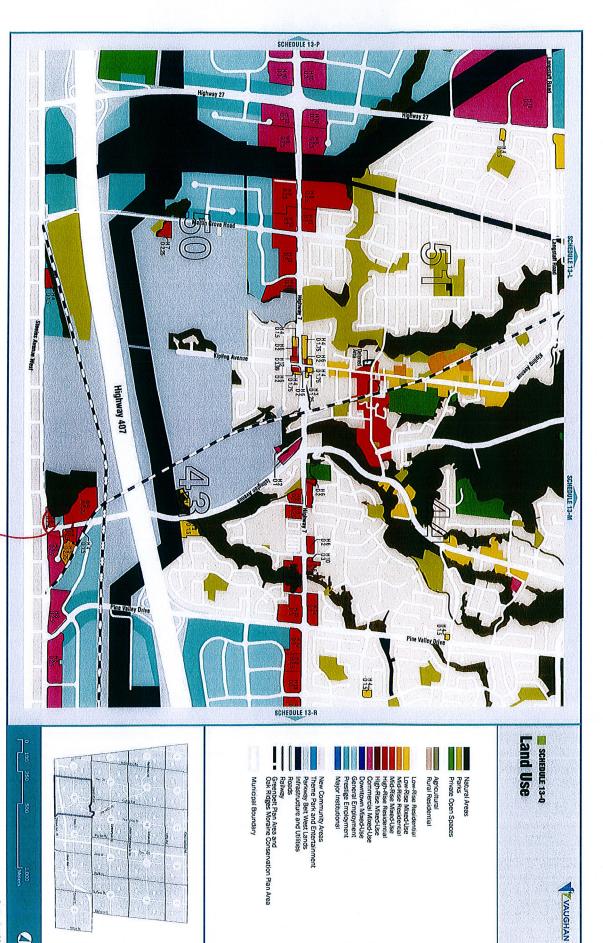
Yurij Michael Pelech, MA(Pl), MCIP, RPP Senior Planner

EMC GROUP LIMITED
Engineers, Planners, Project Managers
7577 Keele Street, Suite 200, Concord, Ontario L4K 4X3
T.(905)738-3939 x239 F.(905)738-6993
www.emcgroup.ca

To help us stop the spread of viruses, we request that all email sent to our office includes project name, number, and recipient's name in the subject line.

CONDITIONS OF RECEIPT OF DIGITAL DATA

In the event of a dispute over inconsistencies between documents contained in the attached storage media and the original documents retained by EMC Group Limited, those retained by EMC Group Limited shall constitute the original document for record keeping purposes. Unauthorized alteration, copying or use of this digital data shall be deemed an infringement of the Canadian Copyright Act. Information contained in this transmission may be of a preliminary nature or subject to revision. The receiver is responsible to confirm the validity of it prior to using it for any purpose authorized by the act of distribution. Electronic copies of engineering plans prepared by EMC Group Limited are NOT to be used for construction layout purposes. The receiver of such electronic files is to refer to legal plans prepared by the surveyor as well as standard detail drawings and



subject Property

HUMPHRIES PLANNING GROUP INC.

January 29, 2011 HPGI File: 08172

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

AK.

Attn: Mr. Roy McQuillan

Re: City of Vaughan Official Plan Review – Modification Request
KK Holdings – North West Quadrant of Kirby Road & Keele Street

Correspondence was provided to the City of Vaughan dated June 14th, August 30th and September 7, 2010 on behalf of KK Holdings owner of 17 acres of land located at Pt Lot 31, Concession 4 (north/west quadrant of Keele Street and Kirby Road). We are requesting that the City of Vaughan incorporate a modification to its adopted Official Plan which includes a site specific provision which permits "place of worship, transportation and industrial uses" on the subject lands as these uses are considered complementary to the existing approved and developed land uses on the remnant landholding.

Previous correspondence provided requested that the subject land be included within the urban boundary designation as the lands currently are municipally serviced and have land use approvals for with service commercial uses inclusive of gas station and car wash, drive-thru eating establishment and motor vehicle sales and repair for farm/heavy equipment /trucks. This information is supported by approved zoning by-law 179-2009 attached hereto.

The applicant has also indicated to staff that a place of worship and other institutional uses may also be considered for the vacant portion of the site. The balance of the landholding is situated to the north of the developed area and south of the greenbelt boundary. The proposed official plan as adopted does not provide for agricultural –related uses and specifically states that transportation and industrial uses will not be permitted.

It is our opinion, the incorporation of a site specific modification represents good land use planning. It is not practical nor appropriate to expect that Agricultural uses to locate on the

216 Chrislea Road Suite 103 Vaughan, ON L4L 8S5 Attn: Mr. Roy McQuillan

Re: Vaughan OP Review - Request for Modification

KK Holdings Page 2 of 2

remainder of the subject site in either the near of long-term as the site is bounded on three sides by existing transportation infrastructure (west- railway, south-Kirby Road, east-Keele Street) and to the north by the Greenbelt and was previously subject to a Special Policy Area by OPA 600 wherein industrial land uses were to be considered for the area between Keele Street, and the rail line between Teston Road and King-Vaughan Road. Consideration of unique locational attributes, surrounding uses and availability of municipal services, the requested policy for KK Holdings is not anticipated to create a precedent or pre-determine land uses for adjacent landholdings.

Yours truly,

HUMPHRIES PLANNING GROUP INC.

Rosemarie L. Humphries BA, MCIP, RPR

cc. KK Holdings- Mr. Nick Cortellucci

✓ Mr. Augustine Ko, Region of York Planning Department

Ms. Melissa Rossi, Planning Department Mr. Mauro Peverini, Planning Department

HUMPHRIES PLANNING GROUP INC.

September 7, 2010 HPGI File: 08172

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

Mr. Jeffrey Abrams

Clerk

Re:

September 7, 2010 - Council Meeting

Vaughan Official Plan Review - Special Committee of the Whole Report No. 42

KK Holdings

Further to Special Committee of the Whole Meeting held on August 31rst as related to Volume 2 of the Vaughan Official Plan Review process we are corresponding on behalf of KK Holdings. Both written and verbal presentations were made on behalf of KK Holdings regarding landholding at the north west corner of Keele Street and Kirby Road. A request was made respecting the City undertake further consideration as related to establishing a special provision for this landholding which would permit industrial, transportation and service uses. Review of the minutes from this meeting does not indicate that staff will be undertaking such review prior to approval of the new official plan document. It is respectfully requested that this be acknowledged and form part of the meeting minutes at this time.

Yours truly,

HUMPHRIES PLANNING GROUP INC.

Rosemarie L. Humphries-BA, MCIP, RPP

President

¢с.

KK Holdings, Mr. Nick Cortellucci

216 Chrislea Road Suite 103 Vaughan, ON L4L 8S5

T: 905-264-7678 F: 905-264-8073

www.humphriesplanning.com

HUMPHRIES PLANNING GROUP INC.

August 30 2010 HPGI File: 08172

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

Attn: Mr. Jeffrey Abrams

Re: City of Vaughan Official Plan Review

KK Holdings - North West Quadrant of Kirby Road & Keele Street

Correspondence was provided to your offices dated June 14th on behalf of KK Holdings owner of 17 acres of land located at PT Lot 31, Concession 4 (north/west quadrant of Keele Street and Kirby Road). Comments made by City staff in response to the submission have been reviewed with the landowner. We do not support the current draft Official Plan and are providing further submissions at this time in support of a site specific provision being applied to the subject site.

Previous correspondence provided requested that the subject land be included within the urban boundary designation as the lands currently are municipally serviced and have land use approvals for with service commercial uses inclusive of gas station and car wash, drive-thru eating establishment and motor vehicle sales and repair for farm/heavy equipment /trucks. Further the applicant has indicated to staff that a place of worship and other institutional uses may also be considered for the vacant portion of the site. The balance of the landholding is generally situated to the north of the developed area and south of the greenbelt boundary. The proposed official plan would not provide for agricultural—related uses and specifically states that transportation and industrial uses will not be permitted.

It is not practical to expect that Agricultural uses will locate on the remainder of the subject site in either the near of long-term. It is therefore requested that a site specific policy be established for this site which provides for additional flexibility for future development to occur on the property inclusive of place of worship, transportation and industrial uses which are considered complementary to the existing approved land uses. This request is being

216 Chrislea Road Suite 103 Vaughan, ON L4L 8S5

T: 905-264-7678 F: 905-264-8073 made in light of the fact that the site is bounded on three sides by existing transportation infrastructure (west- railway, south-Kirby Road, east-Keele Street) and to the north by the Greenbelt and was previously subject to a Special Policy Area by OPA 600 wherein industrial land uses were to be considered for the area between Keele Street, and the rail line between Teston Road and King-Vaughan Road.. The requested policy for KK Holdings is not anticipated to pre-determine future land uses for adjacent lands. Mapping/ information is attached for reference purposes.

We would be pleased to meet with staff and the City's consulting team to further discuss thise request.

Yours truly,

HUMPHRIES PLANNING GROUP INC.

Rosemarie L. Humphries BA, MCIP, RPP

cc. KK Holdings- Mr. Nick Cortellucci

Mayor and Members of Council

Mr. John Zipay, Commissioner of Planning

Ms. Diana Birchall, Director of Policy Planning

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 179-2009

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 Vaughan Official Plan adopted by Council but 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) Deleting paragraph b) and substituting therefor the following paragraphs b), c) and d) to Exception 9(1240) of Section 9.0 "EXCEPTIONS":
 - "b) Sections 8.1 and Schedule A respecting Zone Standards in the A Agricultural Zone;
 - c) Section 8.2 respecting Permitted Uses in the A Agricultural Zone; and,
 - Section 3.8a) respecting Parking Requirements.

The following provisions shall apply to the lands shown as "Subject Lands" on Schedule "E-1366A":

- bi) The minimum area of a lot shall be as follows:
 - i) Parcel "A" 1.4 ha;
 - ii) Parcel "B" 1.0 ha;
 - iii) Parcel "C" 3.11 ha; and
- bii) The minimum lot frontage of a lot shall be 60 m."

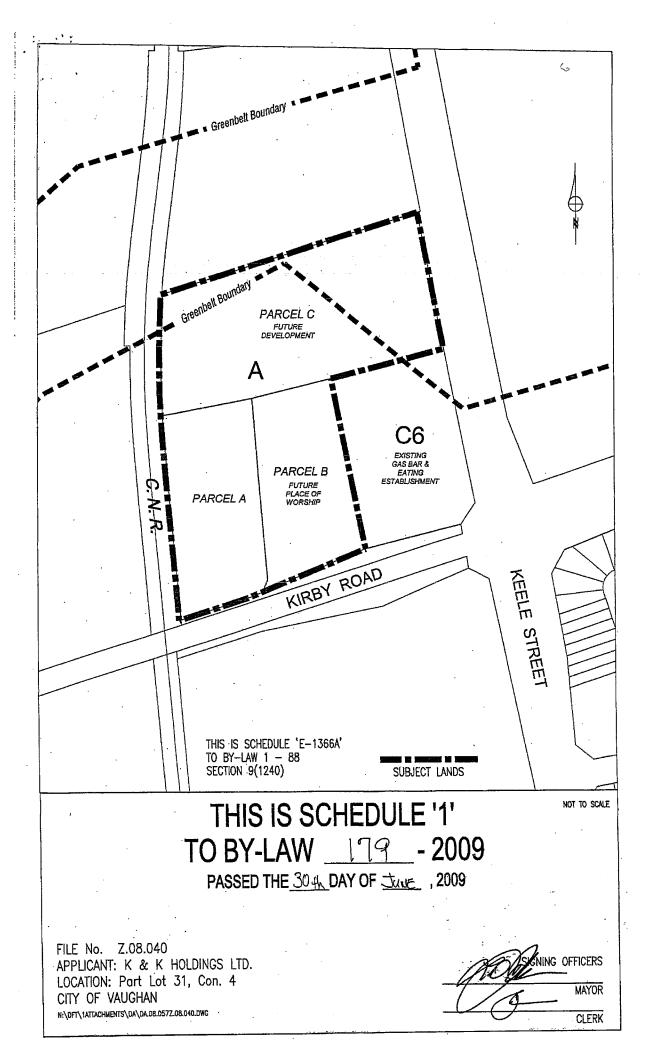
The following shall be permitted on Parcel "A", in the manner shown on Schedule "E-1366B":

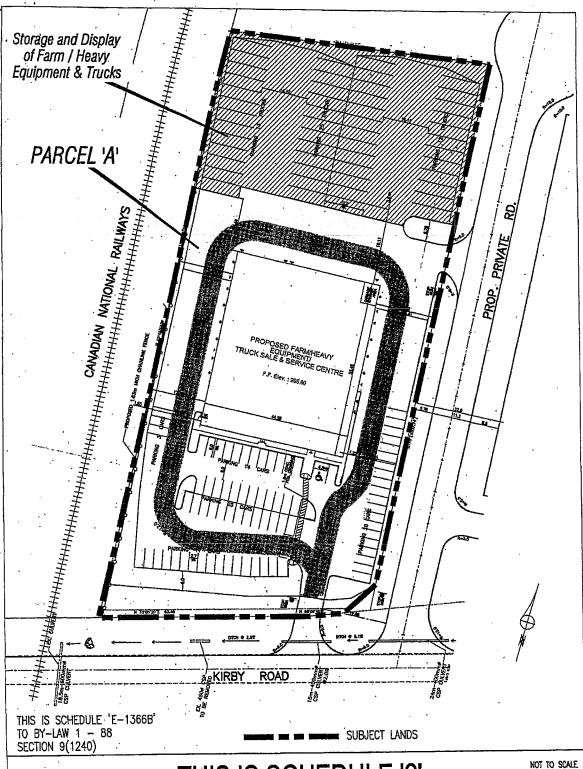
- .ci) a Motor Vehicle Sales Establishment for farm/heavy equipment and trucks;
- an area for the storage and display of farm/heavy equipment and trucks shall be permitted in the rear yard only;
- di) A total of 129 parking spaces shall be provided, of which a maximum of 50 parking spaces shall be used for the storage of farm/heavy equipment and trucks."
- b) Adding Schedule "E-1366A" attached hereto as Schedule "1".
- c) Adding Schedule "E-1366B" attached hereto as Schedule "2".
- 2. Schedules "1" and "2" shall be and hereby form part of this By-law.

READ a FIRST, SECOND and THIRD time and finally passed this 30th day of June, 2009.

nda/D. Jacksop, Mayor

Jeffrey A. Abrams, City Clerk





THIS IS SCHEDULE '2' TO BY-LAW __\\\angle \angle 9_- 2009

PASSED THE 30+1 DAY OF JUNE, 2009

FILE No. Z.08.040

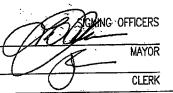
APPLICANT: K & K HOLDINGS LTD.

LOCATION: Part Lot 31, Con. 4

CITY OF VAUGHAN

N:\DFT\1ATTACHMENTS\DA\DA.08.057Z.08.040.DWG

NOI IO SUALE



SUMMARY TO BY-LAW 179-2009

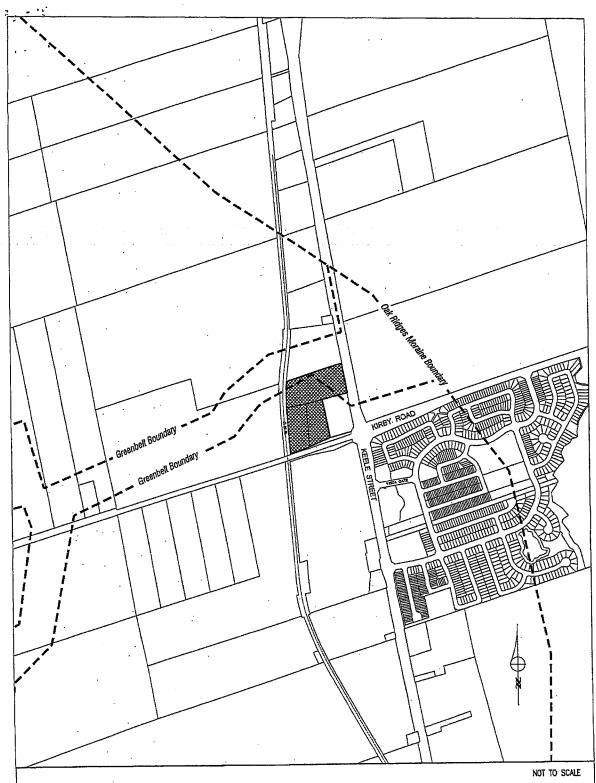
The lands subject to this By-law are located on the west side of Keele Street on the north side of Kirby Road, in Part of Lot 31, Concession 4, City of Vaughan, City of Vaughan.

The purpose of this by-law is to permit a Motor Vehicle Sales Establishment use for farm/heavy equipment and trucks in order to facilitate a Farm/Heavy Equipment/Truck Sales and Service Centre in the A Agricultural Zone. The facility will service and support the surrounding agricultural community by providing local access to specialized sales and repair services for agricultural equipment.

This by-law will also provide the following exceptions with respect to establishing minimum lot areas and lot frontages for properties subject to this by-law located in the A Agricultural Zone:

- Parcel "A" (Motor Vehicle Saies Establishment Use) 1.4 ha Minimum Lot Area; Parcel "B" (Future Place of Worship) 1.0 ha Minimum Lot Area; Parcel "C" (Remaining Agricultural Lands) 3.11 ha; and, Minimum Lot Frontage in the A Agricultural Zone 60 m.
- 2. 3.

Provisions for the storage and display of farm/heavy equipment and trucks shall be permitted in the rear yard only, and shall occupy a maximum of 50 parking spaces.



LOCATION MAP TO BY-LAW _____ - 2009

FILE No. Z.08.040

APPLICANT: K & K HOLDINGS LTD. LOCATION: Part Lot 31, Con. 4

CITY OF VAUGHAN

SUBJECT LANDS

N:\OFT\1ATTACHMENTS\DA\DA.08.057Z.08.D40.DWG

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 218-2005

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

WHEREAS the matters herein set out are in conformity with the Official Ptan 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:

- 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 A Agricultural Zone to C6 Highway Commercial Zone and A Agricultural Zone in the manner shown on said Schedule "1".
 - Adding the following Paragraph to Section 9 Exceptions:
 "(1240) Notwithstanding the provisions of:
 - Sections 5.1.4 and 5.7 respecting Permitted Uses in the C6 Highway
 Commercial Zone; and
 - Section 8.1 and Schedule "A" respecting the Minimum Lot Area in an A Agricultural Zone.

The following provisions shall apply to the lands shown as "Subject lands" on Schedule "E-1366";

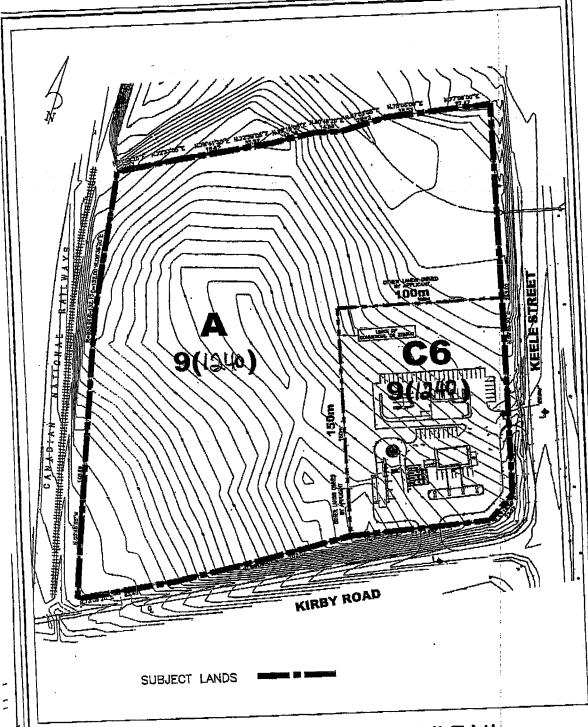
- ai) The use of the land shown as C6 Highway Commercial Zone on Schedule "E-1366" shall be limited to the following uses without Open Storage:
 - i) Automobile Gas Bar
 - ii) Automobile Service Station
 - iii) Car Wash.
 - iv) Eating Establishment, Convenience with Drive-Through, provided it
 is operated in conjunction with an Automobile Gas Bar or
 Automobile Service Station.
- bi) The Minimum Area of a Lot in an A Agricultural Zone shall be 5.25 ha."
- c) Adding Schedule "E-1366" attached hereto as Schedule "1".
- d) Deleting Key Map 4G and substituting Key Map 4G attached hereto as Schedule "2".
- Schedules "1" and "2" shall be and hereby form part of this By-Law.

READ a FIRST, SECOND and THIRD time and finally passed this $27^{\rm th}$ day of June, 2005.

Michael Di Biase, Mayor

Michael Di Biase, Mayor

J. D. Leach, City Clerk



NOT TO SCALE

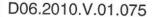
THIS IS SCHEDULE 'E -1366' TO BY-LAW 1-88 SECTION 9 (1240).

THIS IS SCHEDULE '1' - 2005 TO BY-LAW_218 PASSED THE 27 DAY OF June, 2005

FILE No. Z.94.095 RELATED FILE No. DA.04.048 LOCATION: Part of Lot 31, Concession 4 APPLICANT: MARIO & NICK CORTELLUCCI CITY OF VAUGHAN

F

A



JAN 28 2011



January 26, 2011

BY REGULAR MAIL

Regional Municipality of York Corporate Services Department 17250 Yonge Street, 4th Floor Newmarket, Ontario L3Y 6Z1

Attn: Mr. Denis Kelly, Regional Clerk

OPGI Management LP o/a Oxford - City of Vaughan Adopted Official Plan Re:

City File Ref. OP.25.1

Our File: 1704

We are the planners of record for OPGI Management LP ('Oxford'). We are pleased to provide you with the enclosed documentation concerning our review of the adopted City of Vaughan Official Plan, on behalf of Oxford. We refer you to our initial written submission of May 17, 2010 as filed with the City as part of Vaughan's Draft Official Plan Review process. Our submission was received by Vaughan City Council and Staff as input to the Vaughan Official Plan Review process and certain amendments were undertaken in response to our submission.

On Oxford's behalf, we also provided correspondence October 5, 2010, to request that the Region consider modifying the adopted Vaughan Official Plan to the extent that the City did not incorporate our requested changes.

In our opinion, important policy issues remain regarding the adopted Official Plan. Please consider our comments and recommendations as set out herein per the attached Table A and Composite Maps.

We would be pleased to discuss these matters as determined.

Yours truly,

Pound & Stewart Associates Limited

Philip J. Stewart, MCIP, RPP

1704ltr. YorkRegion. Jan. 26.11

cc. Mr. B. Tuckey, Commissioner of Planning & Development Services, York Region

cc. Mr. J. Zipay, Commissioner of Planning, City of Vaughan

cc. OPGI Management LP o/a Oxford

POUND & STEWART ASSOCIATES LIMITED

305 Renfrew Drive, Suite 101, Markham, Ontario, Canada L3R 9S7 , 905 305 9797

OUR COMMENTS & RECOMMENDATIONS FOR REGIONAL CONSIDERATION	While City Staff recommend that the policy in OPA 450, currently being used, be included in the new Official Plan, which provides for a "Prestige Employment" designation that extends one (1) lot depth from the boundary road they have also introduced "one lot depth, up to 200 m, in from the arterial street or Provincial Highway." Roughly 200 metres (m) would measure the lot depth between 81 and 71 Royal Group Crescent measured from the Highway 427 Right-of-Way to Royal Group Crescent. The main concern is where 200 m originates from and how it will be applied to lots that are deeper, in practical terms in the interest of clarity and certainty. 1) What is the origin of 200 m? 2) 200 m is an absolute number, which triggers a requirement for an OPA to reduce this number where reasonable. 3) The policy prohibiting General Employment land use abutting Provincial and arterial roads is supported. However given large lot configurations in this Employment Area we are of the opinion that if a number must be used then the (one lot depth policy objective), can be reasonably satisfied with a 100 m setback versus a 200 m setback. This reduction in setback provides greater flexibility and versatility when applied to large industrial lots which abut an arterial street or Provincial Highway. (i.e. allows for appropriately screened accessory outside storage on that portion of the industrial lot which is not designated Prestige Employment and not fronting onto the Provincial and arterial road. This also supports industrial intensification, logistical objectives and economic and environmental sustainability and efficiencies
CITY OF VAUGHAN ADOPTED OFFICIAL PLAN POLICIES (SEPTEMBER 7, 2010)	Boundaries of land use designations on Schedule 13 are approximate except where delineated by a Secondary Plan or area-specific policy, or where they coincide with fixed distinguishable features such as streets, utility carridors, railroads, or major natural features. For the purposes of delineating between Prestige Employment and General Employment land uses and between Commercial Mixed-Use and Prestige Employment or General Employment land uses, the use abutting an arterial street or Provincial highway shall be interpreted to extend one lot depth, up to 200 metres, in from the arterial street or Provincial highway. In all other instances, the boundaries of fand use designations will by-laws; prevailing lot depths; orientation of lot frontages; lot patterns; and land use patterns. Where the intent of this Plan is maintained, minor adjustments to the boundaries will not require amendment to this Plan. It is intended that the extent of the various land use designations be established through the Black Plan process. The detailed boundaries would be reflected in the approved subdivision plans and Zoning By-Law.
HISTORY	City of Vaughan Staff Comment (July 28, 2010 Committee of the Whole): (See Item 63B on pages 60 & 61.) 4) It is not intended to create "split" land designations. Therefore it is recommended that the policy in OPA 450 currently being used be included in the new Official Plan which provides for a "Prestige Employment" designation that extends one lot depth from the boundary road and detailed through the Block Plan process and Bylawnown and detailed through the Block Plan process and Bylaw. City of Vaughan Staff Recommendation (July 28, 2010 Committee of the Whole): (See Item 63B on pages 60 & 61.) 4) That the following policy be added to section 10.2, "Interpretation" as follows: "To recognize legally existing land uses as they exist at the time this Plan is adopted. Such land uses shall be deemed to conform to this Plan is adopted. Such land uses shall be deemed to conform to this Plan is not compromised and the tests prescribed below, are met." City of Vaughan Staff Recommendation (July 28, 2010 Committee of the Whole): (See Item 180 on pages 214 & 215.) That policy 10.2.1.4 be amended as follows: Boundaries of land use designations on Schedule 13 are approximate except where delineated by a Secondary Plan or area-specific policy, or where they coincide with fixed distinguishable features. For the purposes of delineating between Prestige Employment and General Employment land uses and between Commercial Mixed-Use and Prestige Employment land uses, the use
ISSUE	For properties that are split designated Prestige Employment and General Employment, would General Employment, would General Employment to uses such as accessory outside storage be permitted on that portion of the site designated General Employment to support economic versatility and environmental sustainability through energy savings?

ISSUE	HISTORY	CITY OF VAUGHAN ADOPTED OFFICIAL PLAN POLICIES (SEPTEMBER 7, 2010)	OUR COMMENTS & RECOMMENDATIONS FOR REGIONAL CONSIDERATION
	abutting an arterial street or Provincial highway shall be interpreted to extend one lot depth, up to 200 metres, in from the arterial street or Provincial highway. In all other instances, the boundaries of land use designations will be determined by a review of existing zoning bylaws; prevailing lot depths; orientation of lot frontages; lot patterns; and land use patterns. Where the intent of this Plan is maintained, minor adjustments to the boundaries will not require amendment to this Plan.		as it can minimize the need for off-site trucking movements. Recommendation: That Policy 10.2.1.5 is revised from the limit of 200 m to 100 m to support needed industrial flexibility and versatility particularly when applied to large lots within Employment Areas.
ISSUE NO.2	City of Vaughan Staff Comment (July 28, 2010 Committee of the Whole):	5.2.1.2 To protect Vaughan's manufacturing, industrial and	Further to our prior written submission, Staff has introduced Policy 5.2.1.2, which requires land use compatibility where a
There is a need to clarify the intent of policy 5.2.1.2 as it relates to	Staff has recommended a policy be included in Section 5.2.1 that would require that new adjacent land uses to prepare the appropriate	warehousing sectors from potential impacts, any development or redevelopment of lands for sensitive land uses located within 500 metres of an	proponent of a new proposed sensitive land use, within 500 metres, undertakes appropriate environmental studies.
existing industrial operations located in	environmental or noise reports to ensure the proposed use does not destabilize the industrial use.	appropriate environmental studies (e.g., noise, dust,	We are of the opinion that a clause within Policy 5.2.1.2., requires further clarification: "As a result of the studies, on-
Employment Areas. Also policy 9.2.2.9 c) as	City of Vaughan Recommendation (July 28, 2010 Committee of the Whole):	basis, in order to ensure land use compatibility with the surrounding Employment Area lands. As a result	sic of ojj-sic miligation medsares may be required prior to development of the sensitive land use."
written is 'unrealistic' as		of the studies, on-site or off-site mitigation measures	The intent of this policy is not clear. As it reads, an existing
written and qualification of nuisance and adverse effect is required.	Section 5.2.1 be amended by adding the following policy: "To protect Vaughan's manufacturing, industrial and warehousing sectors from potential impacts, any development or redevelopment of	may be required prior to development of the sensitive land use.	industrial use, located within an Employment Area (Prestige Employment), may be burdened with the responsibility of providing mitigation measures as a
	lands for sensitive land uses located within 500 metres of an Employment Area, may be required to undertake appropriate environmental studies (e.g., noise, dust, vibration, etc.), to be		result of the findings of the studies prepared by a proponent of a new sensitive land use?
	identified on a case by case basis, in order to ensure land use compatibility with the surrounding Employment Area lands. As a result of the studies, on-site or off-site mitigation measures may be required prior to development of the sensitive land use."		Recommendation 1: Policy 5.2.1.2. be revised to read "As a result of environmental study recommendations, a proposed sensitive land use within 500 metres of an Employment Area, will be required to undertake appropriate on-site or off-site mitigation measures prior to
	City of Vaughan Staff Comment (July 28, 2010 Committee of the Whole):		development."
	Alternative measures can include noise walls, building design and other measures designed to mitigate impacts to achieve compatibility	9.2.2.9.c & 9.2.2.10.d The operation of any use must not result in a nuisance or have an adverse effect on neighbouring	With respect to proposed policies 9.2.2.9.c. and 9.2.2.10.d we remain of the opinion that this policy, as written, should

ISSUE	HISTORY	CITY OF VAUGHAN ADOPTED OFFICIAL PLAN POLICIES (SEPTEMBER 7, 2010)	OUR COMMENTS & RECOMMENDATIONS FOR REGIONAL CONSIDERATION
	between uses. The policy is sufficiently flexible to require both compliance with MOE Guidelines and to review alternatives where they may be considered appropriate.	uses by virtue of the emission or discharge of noise, vibration, particulate, odour or other irritants. 9.2.2.9.4 & 9.2.2.10.e Separation distance guidelines prepared by the Ministry of the Environment, or alternative measures shall be applied to achieve compatibility between uses in the Prestige Employment (General Employment) designation and uses in other land use designations.	be improved by defining nuisance and adverse effect, particularly in the context of permitted uses within the Prestige Employment and General Employment Areas. Without clarification and qualification nuisance and adverse effect interpretations maybe mis-applied. In summary, in Prestige Employment and General Employment Areas, an existing industrial operation may not be able to achieve the absolute requirement as set out in 9.2.9.c. and 9.22.10.d. unless the measurement of nuisance and adverse effect is qualified by appropriate standards. This is also inherently tied into the issue with 5.2.1.2., to avoid confusion and potential economic and environmental uncertainty. Recommendation 2: The references to 9.2.2.9.c. and 9.2.2.0.d should be qualified by defining nuisance and adverse effect in the Official Plan, or have a statement indicating that the Zoning By-law will be required to provide these definitions as it is an implementation document to the Official Plan.
Vill the policies of Section 9.2.3.7 EMPLOYMENT / INDUSTRIAL BUILDINGS, apply to new buildings only, or are they retroactive to existing employment buildings?	City of Vaughan Staff Comment (July 28, 2010 Committee of the Whole): The policies will not be applied retroactively to existing buildings. The policies will be applied to additions or expansions to existing buildings or new buildings on existing developed sites. Where zoning exists to permit development as-of-right and which does not comply with the new policies, the zoning permissions will remain in effect. City of Vaughan Staff Recommendations (July 28, 2010 Committee of the Whole): That the following policy be added to Section 10.2.1.3 of the Official	10.2.1.3 To recognize legally existing land uses as they exist at the time this Plan is adopted. These land uses shall be deemed to conform to this Plan. Minor extensions or expansions of such uses shall be permitted without amendment to this Plan, provided that the intent of this Plan is not compromised and the tests prescribed below, are met: a. the road pattern and transi'r routes envisioned by this Plan are not compromised or precluded in the long-term; b. the proposed expansion cr enlargement of the existing use shall not unduly aggravate	This policy is an important addition to the new Official Plan. While the intent of the wording appears reasonable, various components of the proposed tests, (a) through (e), may require further consideration. Policy 10.2.1.3. reads, "To recognize legally existing land uses as they exist at the time this Plan is adopted. These land uses shall be deemed to conform to this Plan." The intent is to acknowledge that a legal existing land use, in place at the time the Plan is adopted, is deemed to conform to the Plan. How will the new implementing Zoning By-law recognize this use as legally conforming when the new Zoning By-law must establish zoning that implements the new Official Plan

CITY OF VAUGHAN ADOPTED OFFICIAL PLAN POLICIES (SEPTEMBER 7, 2010) FOR REGIONAL CONSIDERATION	y the existence of gard to the ming by-law; he existing use and gement shall be be noise, vibration, or, lighting, parking will be protected it provision of or screening devices, e nuisances and, gulations for cts caused by signs. Such ions shall be applied sion or ere feasible, shall be existing use in mpatibility with the for, or, gisting use seriously he surrounding area, susting use seriously he surrounding area, susting use phostic the instruction with the ion; where to the ing such conditions, owing an application rement of the where public health y affected.	Prestige Employment areas shall be submission is not correctly interpreted or recorded by City characterized by high quality buildings in an Staff, as noted.
CITY OF VAUGHAN POLICIES (SE	the situation created by the the use, especially in regar requirements of the zoning. c. the characteristics of the extension or enlargem examined with regard to no fumes, smoke, dust, odor, li and traffic generation; d. the neighbouring uses will where necessary by the prolandscaping, buffering or si and measures to reduce no where necessary, by regula alleviating adverse effects of lighting or advertising sign provisions and regulations to the proposed extension enlargement and, where also be extended to the exponsions of the expendent to improve its composure to improve its composured to the expendent of menity of the experience of approving as a condition of approving or extension or enlargem existing use, especially when and welfare are directly all	9.2.2.10 a. Prestige Employment areas shall be characterized by high quality buildings in a
HISTORY	Plan: To recognize legally existing land uses as they exist at the time this Plan is adopted. Such land uses shall be deemed to conform to this Plan is adopted. Such land uses shall be deemed to conform to this Plan without amendment to this Plan, provided that the intent of this Plan without amendment to this Plan, provided that the intent of this Plan is not compromised and the tests prescribed below, are met: a. the road pattern and transit routes envisioned by this Plan are not compromised or precluded in the long- term; b. the proposed expansion or enlargement of the existing use shall not unduly aggravate the situation created by the existence of the use, especially in regard to the requirements of the zoning by-law; c. the characteristics of the existing use and the extension or enlargement shall be examined with regard to noise, vibration, fumes, smoke, dust, odor, lighting, parking and traffic generation; d. the neighbouring uses will be protected where necessary by the provision of landscaping, buffering or screening devices, and measures to reduce nuisances and, where necessary, by regulations for alleviating adverse effects caused by lighting or advertising signs. Such provisions and regulations shall be applied to the proposed extension or enlargement and, where feasible, shall also be extended to the existing area; and/or, in all cases where an existing use seriously affects the amenity of the surrounding area; consideration shall be an enlargement of the existing use, especially where public health and welfare are directly affected. This may require further discussion.	City of Vaughan Staff Comment (July 28, 2010 Committee of the Whole):
ISSUE		ISSUE NO. 4 A request is made to

ISSUE	HISTORY	CITY OF VAUGHAN ADOPTED OFFICIAL PLAN POLICIES (SEPTEMBER 7, 2010)	OUR COMMENTS & RECOMMENDATIONS FOR REGIONAL CONSIDERATION
Employment Area policies of Section 9.2.2.0 a) to add the following text: Areas designated as Prestige Employment will accommodate vehicles and truck for freight handling including the pick-up, delivery and transitory storage of raw materials and goods incidental to motor freight shipment directly related to the Prestige Employment use.	heavy truck operations in the Prestige Employment areas. These uses are proposed to be accommodated in the General Employment areas. City of Vaughan Staff Recommendation (July 28, 2010 Committee of the Whole): No change is recommended.	oriented working environment. A variety of lot sizes should be made available in areas designated as Prestige Employment to provide flexibility for attracting and accommodating a wide range of employment uses. C. The following uses are permitted in areas designated as Prestige Employment , in addition to those permitted through policy 9.2.1.8 Industrial use including manufacturing, warehousing (but not a retail warehouse), processing and distribution uses located within wholly enclosed buildings and which do not require outside storage	There is no disagreement that outside storage is not a permitted use in a Prestige Employment Area. However, Prestige Employment permits Industrial uses, including manufacturing, warehousing (but not a retail warehouse), processing, and distribution uses, located within wholly enclosed buildings and which do not require outside storage. Based on Staff's interpretation and response to our proposal, this reinforces, in our opinion, the importance of the proposed text which clarifies supporting economic activities and business functions as it relates to the uses permitted and the operational activities that can occur within the Prestige Employment Area. Recommendation: The following sentence should be added to Section 9.2.2.10 a) for greater certainty, 'Areas designated as Prestige Employment will be supported by vehicles and trucks for freight handling including the pick-up, delivery and transitory storage of raw materials and goods incidental to motor freight shipment directly related to the Prestige Employment use.'
What is the basis of the 7,500 m2 limitation for non-accessory office uses in a Prestige Employment designation? Does the 7,500 m2 limitation needlessly restrict large sites or business operations in the Prestige Employment designation?	City of Vaughan Staff Comment (July 28, 2010 Committee of the Whole): Implementation of the Official Plan policies at this detail will occur in the zoning by-law, which must be enacted within 3 years of adoption of the Official Plan. Typical standards such as maximum lot coverage, building height, landscaping requirements, etc. will control how much office space can be accommodated on any particular lot. City of Vaughan Staff Recommendation (July 28, 2010 Committee of the Whole):	9.2.10 Prestige Employment c) The following uses are permitted in areas designated as Prestige Employment, in addition to those uses permitted through policy 9.2.1.8: i. Industrial uses including manufacturing, warehousing (but not a retail warehouse), processing, and distribution uses located within wholly enclosed buildings and which do not require outside storage. Outside storage is not permitted. ii. Office and or retail uses accessory to and directly associated with any of the uses listed in policy 9.2.2.10.c.i. provided that: A) the accessory use is located on the	Under <i>Prestige Employment</i> we note: Based on the City's density scale model, non-accessory office use is capped at 7,500 m2 GFA in a <i>Prestige Employment</i> designation. Clarification is required to determine if the 9.2.2.10 c) iii applies to a cap on a single lot or block as it relates to "Office uses not accessory". Accessory office use is permitted in a <i>Prestige Employment</i> designation provided that the maximum accessory office use is capped at 7,500 m2 GFA or 40% of the total GFA of the primary uses whichever is greatest.

TABLE A - REVIEW OF ADOPTED VAUGHAN OFFICIAL PLAN WITH RESPECT TO OPGI MANAGEMENT LP O/A OXFORD OBJECTIVES - JANUARY 2011

11. (i.	instea in pointy 9.2.2.9.01. provided that. A) the accessory use is located on the same lot as the primary use:
HISTORY C	issed in point A) the acce same lot

ISSUE	HISTORY	CITY OF VAUGHAN ADOPTED OFFICIAL PLAN POLICIES (SEPTEMBER 7, 2010)	OUR COMMENTS & RECOMMENDATIONS FOR REGIONAL CONSIDERATION
		more than 10% of the total gross floor area of the primary use; C) the accessory office use is limited to no more than 40% of the total gross floor area of the primary use.	
Policies in Section 9.2.2.19 Infrastructure and Utilities, b) are supported as they permit secondary uses that are accessory to adjacent land uses subject to the review/approval of the utility provider, which supports private outdoor storage objectives.	City of Vaughan Staff Comment (July 28, 2010 Committee of the Whole): The policies in the Official Plan will not undermine the marshalling yards. The Parkway Belt Plan recognizes land under Provincial jurisdiction and identifies infrastructure, utilities or other uses permitted under the Plan. The Official Plan includes an "Infrastructure and Utilities" designation for lands in the City with corresponding policies in Section 9.2.2.19. Section 9.2.2.19 was amended per the Vaughan Council adopted Official Plan of September 7, 2010, subsequent to the draft Official Plan, as per ORC recommendation. City of Vaughan Staff Recommendation (July 28, 2010 Committee of the Whole): No change is recommended.	se s	Interportation reality Corporation (URC) and right of Detworks Inc. (HONI) are responsible for managing the Provincial Secondary Land Use Program, which allows for certain secondary land uses, on provincially owned hydro corridor lands. These lands are primarily included in the Infrastructure and Utilities designation of the Official Plan. Some of the lands designated Infrastructure and Utilities are identified within the Official Plan and are subject to the Provincial Parkway Belt West Plan, as amended. The Infrastructure and Utilities designation of the Council adopted Official Plan permits secondary uses including "parking lots and outdoor storage that are accessory to adjacent land uses." This is consistent with the York Region Official Plan policy 7.5.7, under Energy and Utilities, which encourages "complementary uses on utility corridors" As noted by City Staff, "the Parkway Belt [West] Plan recognizes lands under Provincial jurisdiction and identifies infrastructure, utilities or other uses permitted under the plan."
	September 7, 2010, subsequent to the draft Official Plan.	i) all uses and structures associated with the provision of a utility or municipal service; secondary uses such as passive or active recreation, community gardens, other utilities, parking lots and outdoor storage that are accessory to adjacent land uses subject to the review/approval of the utility provider.	Recommendation: No change is recommended as Section Infrastructure and Utilities 9.2.2.19 b) is supported as it will permit consideration of secondary uses, such as parking lots and private outdoor storage use, where it is accessory to adjacent land uses, per the Infrastructure and Utilities designation.

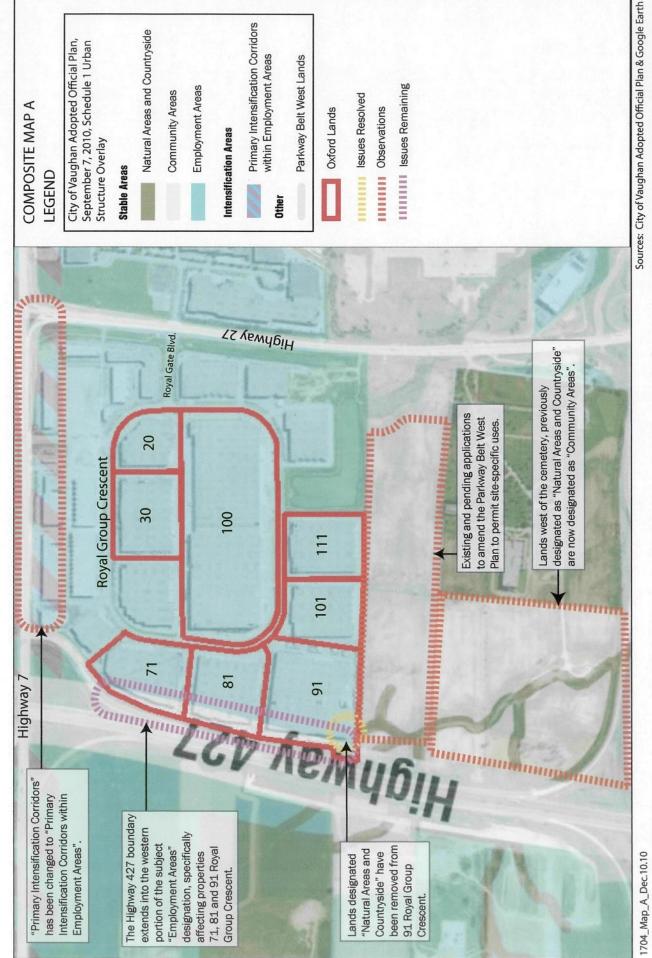
TABLE A - REVIEW OF ADOPTED VAUGHAN OFFICIAL PLAN WITH RESPECT TO OPGI MANAGEMENT LP O/A OXFORD OBJECTIVES - JANUARY 2011

ISSUE	HISTORY	CITY OF VAUGHAN ADOPTED OFFICIAL PLAN POLICIES (SEPTEMBER 7, 2010)	OUR COMMENTS & RECOMMENDATIONS FOR REGIONAL CONSIDERATION
Policy intent regarding sub-section 9.2.1.11 of General Land Use Policies is unclear.	Added to the Vaughan Council adopted Official Plan of September 7, 2010, subsequent to the draft Official Plan.	9.2.1.11 General Land Use Policies Where there is a change in land use designation between lands in an Employment Area and any other designation, the existing neighbouring uses will be protected where necessary by the provision of landscaping, buffering or screening devices, and measures to reduce nuisances and, where necessary, by regulations for alleviating adverse effects included but not limited by lighting, noise and truck traffic. Such provisions and regulations shall be applied to the proposed development and, where feasible, shall also be extended to the existing use in order to improve its compatibility with the surrounding area; and/or, In all cases where a proposed development seriously affects the amenity of the possibility of ameliorating such conditions, as a condition of approving an application, especially where public health and welfare are directly affected.	Policy intent is unclear. Clarification is recommended regarding the following policy statement: "Such provisions and regulations shall be applied to the proposed development and, where feasible, shall also be extended to the existing use in order to improve its compatibility with the surrounding area"
Figures 7 & 8 in the Official Plan require relocation to correspond with their respective certions	Relocated per the Vaughan Council adopted Official Plan of September 7, 2010, subsequent to the draft Official Plan.	9.2.3 Building Types and Development Criteria	It is recommended that Figure 7 – Illustration of Selected Mid-Rise Building Policies and Figure 8 – Illustration of Selected High-Rise Building Policies be relocated within the Official Plan to coincide with their respective Building Types and Development Criteria sections.
ISSUE NO. 9 That all policies concerning surface parking provisions as they relate to General Employment and Prestige Employment designations	Not addressed by City Staff.	9.1.2 Urban Design and Built Form 9.1.2.6 That in Employment Areas, new development will be designed to: d. limit surface parking between the front face of a building and the public street or sidewalk	There is a need to clarify policies regarding surface parking provisions, among other matters, to avoid confusion between the Policies of 9.1.2 and 9.2.1, as it relates to Section 9.2.3 Building Types and Development Criteria and Section 9.2.2 Land Use Designations in terms of General Employment and Prestige Employment.

ISSUE	HISTORY	CITY OF VAUGHAN ADOPTED OFFICIAL PLAN POLICIES (SEPTEMBER 7, 2010)	OUR COMMENTS & RECOMMENDATIONS FOR REGIONAL CONSIDERATION
be carefully considered ensuring clarity in policy		9.2 Land Use Designations and Permitted Building Types	form and are supported by parking spaces for both
implementation.		9.2.1 General Land Use Policies	Policies encourage the office component to be located at the front of the building facing a public street. In this scenario
		9.2.2.9 General Employment	the emphasis is on providing convenient and accessible
		 f. The following Building Types are permitted in General Employment areas, pursuant to policies in 	parking for owners, tenants and visitors.
		Section 9.2.3 of this Plan:	We note that although under Section 9.2.3.7 there are
		i. Employment/Industrial Buildings;	specific provisions for surface parking, which appear to
		ii. Low-Rise Buildings; and	conflict with the surface parking provisions that would apply
		iii. Mid-Rise Buildings	to Low-Rise buildings and Mid-Rise buildings, where it is not
			permitted between the front or side of a Low-Rise building /
		9.2.2.10 Prestige Employment	Mid-Rise building and a public street. This is further
		f. The following Building Types are permitted in	complicated when it is associated with the policies set out in
		Prestige Employment areas, pursuant to policies in	9.1.2 Urban Design and Built Form, where 9.1.2.6 reads
		Section 9.2.3 of this Plan:	"That in Employment Areas, new development will be
		i. Employment/Industrial Buildings;	designed to: d. limit surface parking between the front face of
		ii. Low-Rise Buildings;	a building and the public street or sidewalk"
		in: Mid-Aise Dunanigs, and,	· · · · · · · · · · · · · · · · · · ·
		IV. Gas Stations.	Recommendation: That all policies concerning surface
		0 2 2 Building Tomos and Douglamont Calleton	parking provisions as they relate to <i>General Employment</i> and
		o.e.s building types and Development Citeria	ensuring clarity in policy intent and implementation.
		9.2.3.4	
		The following policies and development criteria	
		apply to Low-Rise Buildings:	
		c. Surface parking is not permitted between the	
		front or side of a Low-Rise Building and a public	
		street. Surface parking elsewhere on a lot with a	
		Low-Rise Building shall generally be setback from	
		any property line by a minimum of three metres and	
		shall be appropriately screened through	
		landscaping	

OUR COMMENTS & RECOMMENDATIONS FOR REGIONAL CONSIDERATION		
CITY OF VAUGHAN ADOPTED OFFICIAL PLAN POLICIES (SEPTEMBER 7, 2010)	9.2.3.5 The following policies and development criteria apply to Mid-Rise Buildings: e. Surface parking is not permitted between the front or side of a Mid-Rise Building and a public street. Surface parking elsewhere on a lot with a Mid-Rise Building shall generally be setback from any property line by a minimum of three metres and shall be appropriately screened through landscaping	9.2.3.7 The following policies and development criteria apply to Employment/Industrial Buildings: d. Surface parking between the front or side of an Employment/Industrial Building and a public street is limited to one aisle of parking spaces and shall generally occupy no more than 50% of the building frontage. e. All surface parking areas must provide a high level of landscaping treatment and pedestrian pathways. It is encouraged that the grading and landscaping materials for surface parking lots be designed as part of the site's stormwater management system.
HISTORY		
ISSUE		

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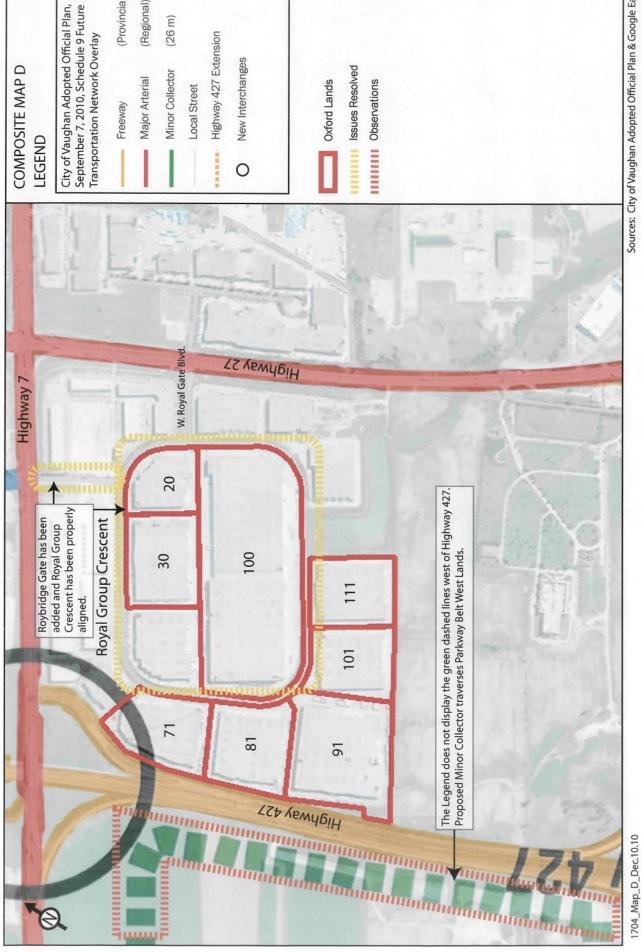
City of Vaughan Adopted Official Plan, September 7, 2010, Schedule 2 Natural Heritage Overlay Issues Resolved COMPOSITE MAP C Core Features Oxford Lands LEGEND Highway 27 W. Royal Gate Blvd. 20 Royal Group Crescent Highway 7 30 The "Core Features" designation has been removed from 91 Royal Group Crescent. 100 111 101 8 16 TSA YEWAPIH 1704_Map_C_Dec.10.10

Sources: City of Vaughan Adopted Official Plan & Google Earth

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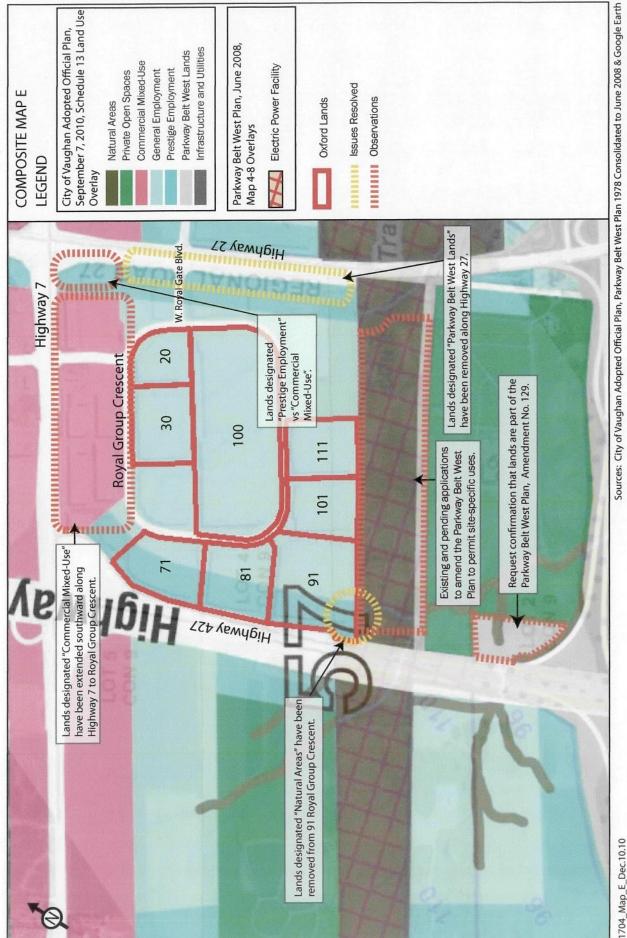
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Sources: City of Vaughan Adopted Official Plan & Google Earth

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Sources: City of Vaughan Adopted Official Plan, Parkway Belt West Plan 1978 Consolidated to June 2008 & Google Earth

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COMPOSITE MAP F

LEGEND

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

Stable Areas

Natural Areas and Countryside

Community Areas

Employment Areas

Intensification Areas

Primary Intensification Corridors within Employment Areas

Other

Parkway Belt West Lands

Parkway Belt West Plan, Map 4-8, June 2008 Overlay



Electric Power Facility



Oxford Lands



Observations

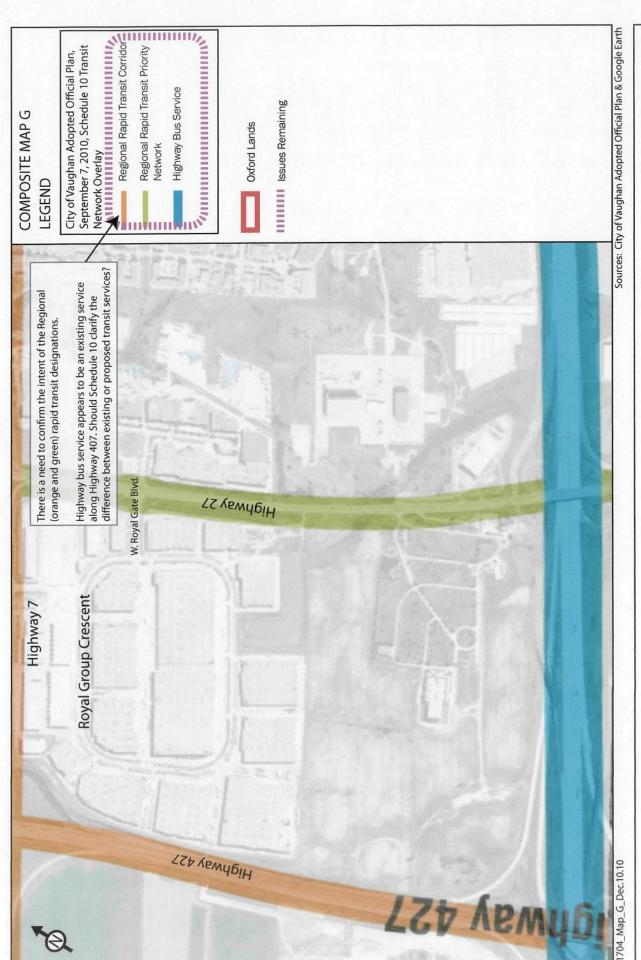
IIIIIIIII Issues Remaining

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Sources: City of Vaughan Adopted Official Plan, Parkway Belt West Plan 1978 Consolidated to June 2008 & Google Earth PLANNING CONSULTANTS • CITYPLAN.COM POUND & STEWART

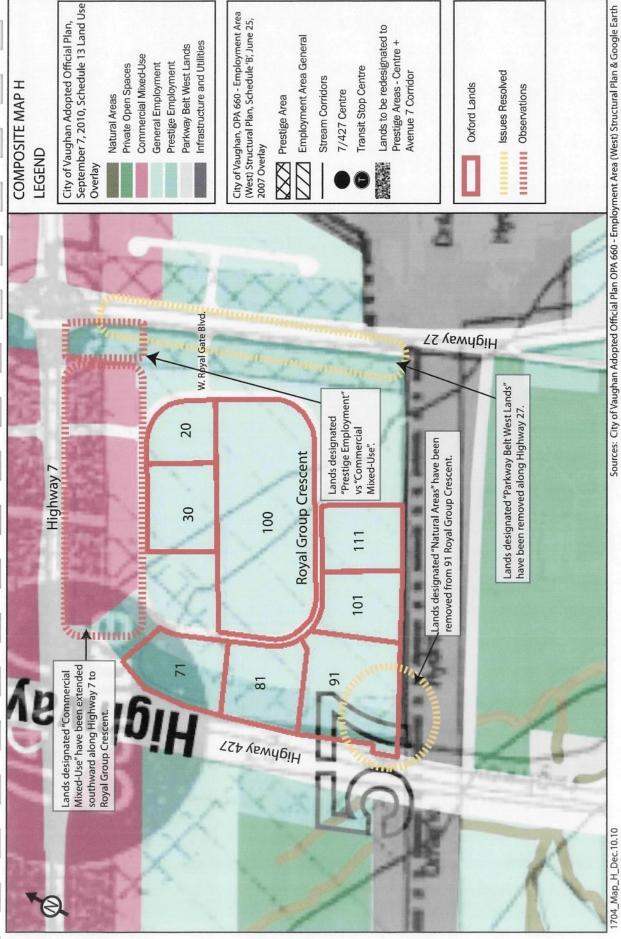
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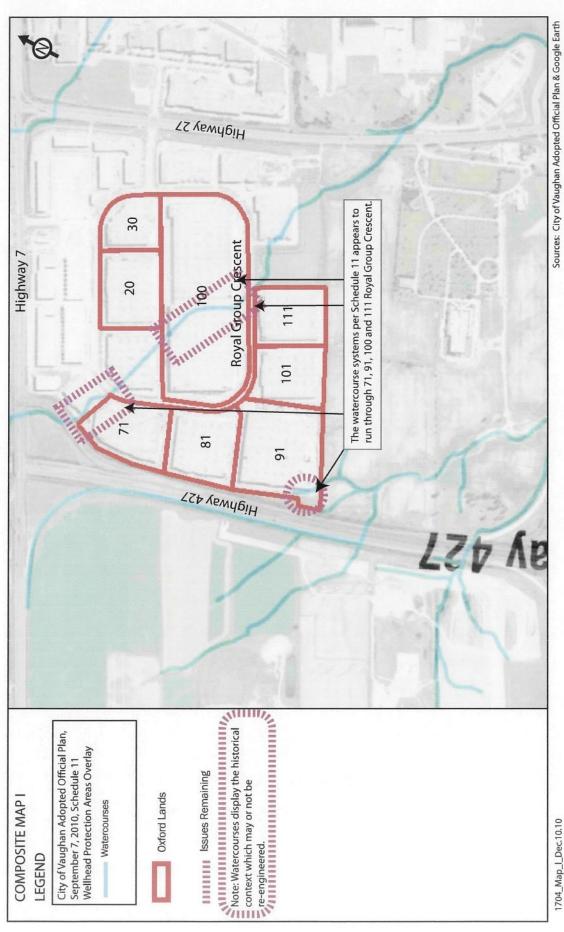
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Sources: City of Vaughan Adopted Official Plan OPA 660 - Employment Area (West) Structural Plan & Google Earth

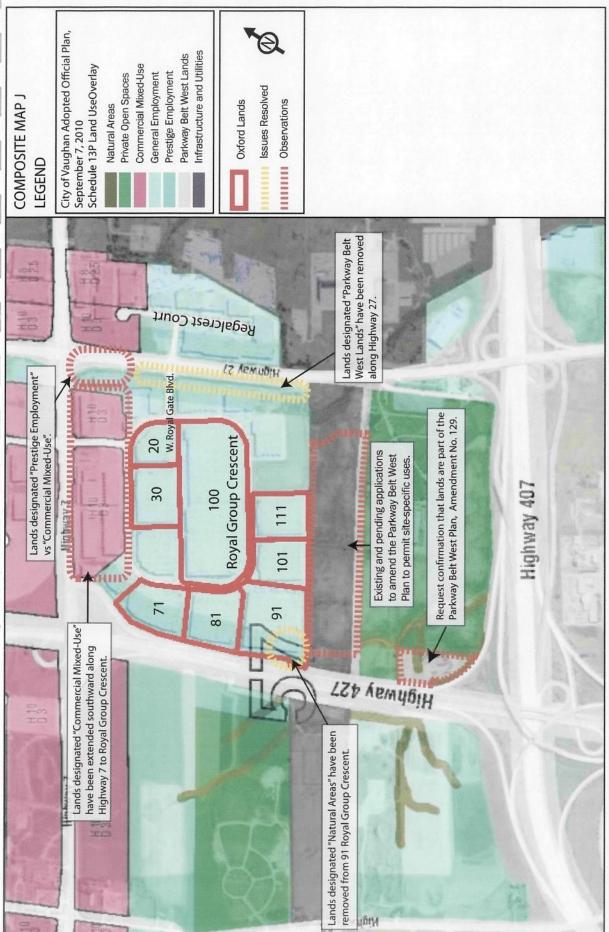
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Sources: City of Vaughan Adopted Official Plan, Parkway Belt West Plan 1978 Consolidated to June 2008 & Google Earth

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D06.2010.V.01.074



January 26, 2011

BY REGULAR MAIL

Regional Municipality of York Corporate Services Department 17250 Yonge Street, 4th Floor Newmarket, Ontario L3Y 6Z1

Attn: Mr. Denis Kelly, Regional Clerk



CLERK'S OFFICE

Re: Royal Group, Inc. - City of Vaughan Adopted Official Plan City File Ref.OP.25.1

Our File: 1712

We are the planners of record for Royal Group, Inc. ('Royal'). We are pleased to provide you with the enclosed documentation concerning our review of the adopted City of Vaughan Official Plan, on behalf of Royal. We refer you to our initial written submission of June 7, 2010 as filed with the City as part of Vaughan's Draft Official Plan Review process. Our submission was received by Vaughan City Council and Staff as input to the Vaughan Official Plan Review process and certain amendments were undertaken in response to our submission.

On Royal's behalf, we also provided correspondence October 5, 2010, to request that the Region consider modifying the adopted Vaughan Official Plan to the extent that the City did not incorporate our requested changes.

In our opinion, important policy issues remain regarding the adopted Official Plan. Please consider our comments and recommendations as set out herein per the attached Table A and Composite Maps.

We would be pleased to discuss these matters as determined.

Yours truly,

Pound & Stewart Associates Limited

Philip J. Stewart, MCIP, RPP

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1712ltr. YorkRegion.Jan.26.11

cc. Mr. B. Tuckey, Commissioner of Planning & Development Services, York Region

cc. Mr. J. Zipay, Commissioner of Planning, City of Vaughan

cc. Royal Group, Inc.

cc. Mr. R. Gray, Gray & Associates

POUND & STEWART ASSOCIATES LIMITED

TABLE A - REVIEW OF ADOPTED VAUGHAN OFFICIAL PLAN WITH RESPECT TO ROYAL GROUP, INC. OBJECTIVES - JANUARY 2011

ISSUE	HISTORY	CITY OF VAUGHAN ADOPTED OFFICIAL PLAN POLICIES (SEPTEMBER 7, 2010)	OUR COMMENTS & RECOMMENDATIONS FOR REGIONAL CONSIDERATION	
ISSUE NO.1	City of Vaughan Staff Comment (July 28, 2010 Committee of the	10.2.1.5	While City Staff recommend that the policy in OPA 450,	
	Whole):	Boundaries of land use designations on Schedule 13	currently being used, be included in the new Official Plan,	-
For properties that are	(See Item 638 on pages 60 & 61.)	are approximate except where delineated by a	which provides for a "Prestige Employment" designation that	_
split designated Prestige		Secondary Plan or area-specific policy, or where they	extends one (1) lot depth from the boundary road they	-
Employment and General	4) It is not intended to create "split" land designations. Therefore it is	coincide with fixed distinguishable features such as	have also introduced "one lot depth, up to 200 m, in from	
Employment, would	recommended that the policy in OPA 450 currently being used be	streets, utility corridors, railroads, or major natural	the arterial street or Provincial Highway."	-
General Employment	included in the new Official Plan which provides for a "Prestige	features. For the purposes of delineating between		_
uses such as accessory	Employment" designation that extends one lot depth from the	Prestige Employment and General Employment	Roughly 200 metres (m) would measure the lot depth	-
outside storage be	boundary road and detailed through the Block Plan process and By-	land uses and between Commercial Mixed-Use and	between 81 and 71 Royal Group Crescent measured from the	-
permitted on that portion	law.	Prestige Employment or General Employment land	Highway 427 Right-of-Way to Royal Group Crescent.	
of the site designated		uses, the use abutting an arterial street or Provincial		
General Employment to	City of Vaughan Staff Recommendation (July 28, 2010 Committee of	highway shall be interpreted to extend one lot	The main concern is where 200 m originates from and how it	-
support economic	the Whole):	depth, up to 200 metres, in from the arterial street	will be applied to lots that are deeper, in practical terms in	-
versatility and	(See Item 638 on pages 60 & 61.)	or Provincial highway. In all other instances, the	the interest of clarity and certainty.	-
environmental		boundaries of land use designations will be		
sustainability through	4) That the following policy be added to section 10.2, "Interpretation"	determined by a review of existing zoning by-laws;	1) What is the origin of 200 m?	_
energy savings?	as follows:	prevailing lot depths; orientation of lot frontages; lot		_
	"To recognize legally existing land uses as they exist at the time this	patterns; and land use patterns. Where the intent of	2) 200 m is an absolute number, which triggers a	_
	Plan is adopted. Such land uses shall be deemed to conform to this	this Plan is maintained, minor adjustments to the	requirement for an OPA to reduce this number where	_
	Plan. Minor Extensions or expansions of such uses shall be permitted	boundaries will not require amendment to this Plan.	reasonable.	_
	without amendment to this Plan, provided that the intent of this Plan	It is intended that the extent of the various land use		_
	is not compromised and the tests prescribed below, are met:"	designations be established through the Block Plan	3) The policy prohibiting General Employment land use	
		process. The detailed boundaries would be reflected	abutting Provincial and arterial roads is supported. However	-
	City of Vaughan Staff Recommendation (July 28, 2010 Committee of	in the approved subdivision plans and Zoning By-	given large lot configurations in this Employment Area we	
	the Whole):	Law.	are of the opinion that if a number must be used then the	_
	(See Item 180 on pages 214 & 215.)		(one lot depth policy objective), can be reasonably satisfied	_
			with a 100 m setback versus a 200 m setback. This reduction	_
	That policy 10.2.1.4 be amended as follows:		in setback provides greater flexibility and versatility when	-
	Boundaries of land use designations on Schedule 13 are approximate		applied to large industrial lots which abut an arterial street or	_
	except where delineated by a Secondary Plan or area-specific policy, or		Provincial Highway. (i.e. allows for appropriately screened	_
	where they coincide with fixed distinguishable features such as streets,		accessory outside storage on that portion of the industrial lot	-
	utility corridors, railroads, or major natural features. For the purposes		which is not designated Prestige Employment and not	-
	of delineating between Prestige Employment and General		fronting onto the Provincial and arterial road. This also	
	Employment land uses and between Commercial Mixed-Use and		supports industrial intensification, logistical objectives and	-
	Prestige Employment or General Employment land uses, the use		economic and environmental sustainability and efficiencies	

ISSUE	HISTORY	CITY OF VAUGHAN ADOPTED OFFICIAL PLAN POLICIES (SEPTEMBER 7, 2010)	OUR COMMENTS & RECOMMENDATIONS FOR REGIONAL CONSIDERATION
	abutting an arterial street or Provincial highway shall be interpreted to extend one lot depth, up to 200 metres, in from the arterial street or Provincial highway. In all other instances, the boundaries of land use designations will be determined by a review of existing zoning bylaws; prevailing lot depths; orientation of lot frontages; lot patterns; and land use patterns. Where the intent of this Plan is maintained, minor adjustments to the boundaries will not require amendment to this Plan.		as it can minimize the need for off-site trucking movements. Recommendation: That Policy 10.2.1.5 is revised from the limit of 200 m to 100 m to support needed industrial flexibility and versatility particularly when applied to large lots within Employment Areas.
ISSUE NO.2 There is a need to clarify the intent of policy 5.2.1.2 as it relates to existing industrial operations located in Employment Areas. Also policy 9.2.2.9 c) as written is 'unrealistic' as written and qualification of nuisance and adverse effect is required.	City of Vaughan Staff Comment (July 28, 2010 Committee of the Whole): Staff has recommended a policy be included in Section 5.2.1 that would require that new adjacent land uses to prepare the appropriate environmental or noise reports to ensure the proposed use does not destabilize the industrial use. City of Vaughan Recommendation (July 28, 2010 Committee of the Whole): Section 5.2.1 be amended by adding the following policy: "To protect Vaughan's manufacturing, industrial and warehousing sectors from potential impacts, any development or redevelopment of lands for sensitive land uses located within 500 metres of an Employment Area, may be required to undertake appropriate environmental studies (e.g., noise, dust, vibration, etc.), to be identified on a case by case basis, in order to ensure land use compatibility with the surrounding Employment Area lands. As a result of the studies, on-site or off-site mitigation measures may be required prior to development of the sensitive land use." City of Vaughan Staff Comment (July 28, 2010 Committee of the	F.2.1.2 To protect Vaughan's manufacturing, industrial and warehousing sectors from potential impacts, any development or redevelopment of lands for sensitive land uses located within 500 metres of an Employment Area, may be required to undertake appropriate environmental studies (e.g., noise, dust, vibration, etc.), to be identified on a case by case basis, in order to ensure land use compatibility with the surrounding Employment Area lands. As a result of the studies, on-site or off-site mitigation measures may be required prior to development of the sensitive land use.	Further to our prior written submission, Staff has introduced Policy 5.2.1.2., which requires land use compatibility where a proponent of a new proposed sensitive land use, within 500 metres, undertakes appropriate environmental studies. We are of the opinion that a clause within Policy 5.2.1.2, requires further clarification: "As a result of the studies, onsite or off-site mitigation measures may be required prior to development of the sensitive land use." The intent of this policy is not clear. As it reads, an existing industrial use, located within an Employment Area (Prestige Employment and General Employment), may be burdened with the responsibility of providing mitigation measures as a result of the findings of the studies prepared by a proponent of a new sensitive land use? Recommendation 1: Policy 5.2.1.2. be revised to read "As a result of environmental study recommendations, a proposed sensitive land use within 500 metres of an Employment Area, will be required to undertake appropriate on-site or off-site mitigation measures prior to development."
SI	Wholej: Alternative measures can include noise walls, building design and other measures designed to mitigate impacts to achieve compatibility.	9.2.2.9.c & 9.2.2.10.d The operation of any use must not result in a nuisance or have an adverse effect on neighbouring	With respect to proposed policies 9.2.2.9.c. and 9.2.2.10.d we remain of the opinion that this policy, as written, should

ISSUE	HISTORY	CITY OF VAUGHAN ADOPTED OFFICIAL PLAN POLICIES (SEPTEMBER 7, 2010)	OUR COMMENTS & RECOMMENDATIONS FOR REGIONAL CONSIDERATION
	between uses. The policy is sufficiently flexible to require both compliance with MOE Guidelines and to review alternatives where they may be considered appropriate.	uses by virtue of the emission or discharge of noise, vibration, particulate, odour or other irritants. 9.2.2.9.d & 9.2.2.10.e Separation distance guidelines prepared by the Ministry of the Environment, or alternative measures shall be applied to achieve compatibility between uses in the Prestige Employment (General Employment) designation and uses in other land use designations.	be improved by defining nuisance and adverse effect, particularly in the context of permitted uses within the Prestige Employment and General Employment Areas. Without clarification and qualification nuisance and adverse effect interpretations maybe mis-applied. In summary, in Prestige Employment and General Employment Areas, an existing industrial operation may not be able to achieve the absolute requirement as set out in 9.2.2.9.c. and 9.22.10.d. unless the measurement of nuisance and adverse effect is qualified by appropriate standards. This is also inherently tied into the issue with 5.2.1.2., to avoid confusion and potential economic and environmental uncertainty.
			Recommendation 2: The references to 9.2.2.9.c. and 9.2.2.10.d should be qualified by defining nuisance and adverse effect in the Official Plan, or have a statement indicating that the Zoning By-law will be required to provide these definitions as it is an implementation document to the Official Plan.
ISSUE NO.3 Will the policies of	City of Vaughan Staff Comment (July 28, 2010 Committee of the Whole):	10.2.1.3 To recognize legally existing land uses as they exist at the time this Plan is adopted. These land uses	This policy is an important addition to the new Official Plan. While the intent of the wording appears reasonable, various components of the proposed tests, (a) through (e), may
Section 9.2.3.7 EMPLOYMENT /	The policies will not be applied retroactively to existing buildings. The policies will be applied to additions or expansions to existing buildings	shall be deemed to conform to this Plan. Minor extensions or expansions of such uses shall be	require further consideration.
INDUSTRIAL BUILDINGS, apply to new buildings only, or are they retroactive to existing	or new buildings on existing developed sites. Where zoning exists to permit development as-of-right and which does not comply with the new policies, the zoning permissions will remain in effect.	permitted without amendment to this Plan, provided that the intent of this Plan is not compromised and the tests prescribed below, are met:	Policy 10.2.1.3. reads, "To recognize legally existing land uses as they exist at the time this Plan is adopted. These land uses shall be deemed to conform to this Plan." The intent is to acknowledge that a lead existing land use. In place at the
employment buildings?	City of Vaughan Staff Recommendations (July 28, 2010 Committee of the Whole):		time the Plan is adopted, is deemed to conform to the Plan. How will the new implementing Zoning By-law recognize this need a locally conforming when the new Zoning By-law mist
	That the following policy be added to Section 10.2.1.3 of the Official		establish zoning that implements the new Official Plan

ISSUE	HISTORY	CITY OF VAUGHAN ADOPTED OFFICIAL PLAN POLICIES (SEPTEMBER 7, 2010)	OUR COMMENTS & RECOMMENDATIONS FOR REGIONAL CONSIDERATION
	Plan: To recognize legally existing land uses as they exist at the time this Plan: To recognize legally existing land uses shely exist at the time this Plan is adopted. Such land uses shall be deemed to conform to this Plan without amendment to this Plan, provided that the intent of this Plan is not compromised and the tests prescribed below, are met: a. the road pattern and transit routes envisioned by this Plan are not compromised or precluded in the long- term; b. the proposed expansion or enlargement of the existing use shall not unduly aggravate the situation created by the existence of the use, especially in regard to the requirements of the zoning by-law; c. the characteristics of the existing use and the extension or enlargement shall be examined with regard to noise, wibration, fumes, smoke, dust, odor, lighting, parking and traffic generation; d. the neighbouring uses will be protected where necessary by the provision of landscaping, buffering or screening devices, and measures to reduce nuisances and, where necessary, by regulations for alleviating adverse effects caused by lighting or advertising signs. Such provisions and regulations shall be applied to the proposed extension or enlargement and, where feasible, shall also be extended to the existing use in order to improve its compatibility with the surrounding area; and/or, e. in all cases where an existing use seriously affects the amenity of the surrounding area, consideration shall be given to the possibility of ameliorating such conditions, as a condition of approving an application for extension or enlargement of the existing ase sepecially where public health and welfare are directly affected. This may require further discussion.	the situation created by the existence of the use, especially in regard to the requirements of the zoning by-law; c. the characteristics of the existing use and the extension or enlargement shall be examined with regard to noise, vibration, fumes, smoke, dust, odor, lighting, parking and traffic generation; d. the neighbouring uses will be protected where necessary by the provision of landscaping, buffering or screening devices, and measures to reduce nuisances and, where necessary, by regulations for alleviating adverse effects caused by lighting or advertising signs. Such provisions and regulations shall be applied to the proposed extension or enlargement and, where feasible, shall also be extended to the existing use in order to improve its compatibility with the surrounding area; and/or, in all cases where an existing use seriously affects the amenity of the surrounding area; and/or, order to improve its compatibility with the surrounding area; and/or, in all cases where an existing use seriously affects the amenity of the surrounding area, consideration shall be given to the possibility of ameliorating such conditions, as a condition of approving an application for existing use, especially where public health and welfare are directly offected.	designation - which could be different than the legally existing land use noted above? A new Zoning By-law is to be enacted within three years of the adoption of the Official Plan. Economic and energy efficiencies in Employment Areas are not just about expansion of facilities. In certain situations building facilities and structures are reduced, and improved or retrofitted for greater efficiencies including the addition of warehouse/distribution purposes as supported by trucking facilities to serve business functions. Therefore, it should be recognized that there is a need in our opinion to acknowledge reductions and minor reconfigurations, and not just "minor extensions" or "expansions" in terms of policy permissions. Recommendation: The following sentence, "Minor extensions or expansions of such uses shall be permitted without amendment to this Plan" Sienater clarity to read as follows: "Minor extensions/reductions or expansions of such uses shall be permitted without amendment to this Plan"
ISSUE NO. 4 A request is made to amend the Prestige	City of Vaughan Staff Comment (July 28, 2010 Committee of the Whole): It is not the intent of the Official plan to permit any outside storage,	9.2.2.10 a. Prestige Employment areas shall be characterized by high quality buildings in an attractive pedestrian-friendly and transit-	In our opinion the request and quotation from our submission is not correctly interpreted or recorded by City Staff, as noted.

ISSUE	HISTORY	CITY OF VAUGHAN ADOPTED OFFICIAL PLAN POLICIES (SEPTEMBER 7, 2010)	OUR COMMENTS & RECOMMENDATIONS FOR REGIONAL CONSIDERATION
Employment Area policies of Section 9.2.2.10 a) to add the following text: 'Areas designated as Prestige Employment will accommodate vehicles and truck for freight handling including the pick-up, delivery and transitory storage of raw materials and goods incidental to motor freight shipment directly related to the Prestige Employment use.'	heavy truck operations in the Prestige Employment areas. These uses are proposed to be accommodated in the General Employment areas. City of Vaughan Staff Recommendation (July 28, 2010 Committee of the Whole): No change is recommended.	oriented working environment. A variety of lot sizes should be made available in areas designated as Prestige Employment to provide flexibility for attracting and accommodating a wide range of employment uses. C. The following uses are permitted in areas designated as Prestige Employment , in addition to those permitted through policy 9.2.1.8 Industrial use including manufacturing, warehousing (but not a retail warehouse), processing and distribution uses located within wholly enclosed buildings and which do not require outside storage	There is no disagreement that outside storage is not a permitted use in a Prestige Employment Area. However, Prestige Employment permits Industrial uses, including manufacturing, warehousing (but not a retail warehouse), processing, and distribution uses, located within wholly enclosed buildings and which do not require outside storage. Based on Staff's interpretation and response to our proposal, this reinforces, in our opinion, the importance of the proposed text which clarifies supporting economic activities and business functions as it relates to the uses permitted and the operational activities that can occur within the Prestige Employment Area. Recommendation: The following sentence should be added to Section 9.2.2.10 a) for greater certainty, 'Areas designated as Prestige Employment will be supported by vehicles and trucks for freight handling including the pick-up, delivery and transitory storage of raw materials and goods incidental to motor freight shipment directly related to the Prestige Employment use.'
What is the basis of the 7,500 m2 limitation for non-accessory office uses in a Prestige Employment designation? Does the 7,500 m2 limitation needlessly restrict large sites or business operations in the Prestige Employment designation?	City of Vaughan Staff Comment (July 28, 2010 Committee of the Whole): Implementation of the Official Plan policies at this detail will occur in the zoning by-law, which must be enacted within 3 years of adoption of the Official Plan. Typical standards such as maximum lot coverage, building height, landscaping requirements, etc. will control how much office space can be accommodated on any particular lot. City of Vaughan Staff Recommendation (July 28, 2010 Committee of the Whole):	c) The following uses are permitted in areas designated as Prestige Emplo;ment, in addition to those uses permitted through policy 9.2.18: i. Industrial uses including manufacturing, warehousing (but not a retail warehouse), processing, and distribution uses located within wholly enclosed buildings and which do not require outside storage. Outside storage is not permitted. ii. Office and or retail uses accessory to and directly associated with any of the uses listed in policy 9.2.2.10.c.i. provided that: A) the accessory use is located on the	Under <i>Prestige Employment</i> we note: Based on the City's density scale model, non-accessory office use is capped at 7,500 m2 GFA in a Prestige Employment designation. Clarification is required to determine if the 9.2.2.10 c) iii applies to a cap on a single lot or block as it relates to "Office uses not accessory". Accessory office use is permitted in a Prestige Employment designation provided that the maximum accessory office use is capped at 7,500 m2 GFA or 40% of the total GFA of the primary uses whichever is greatest.

ISSUE	HISTORY	CITY OF VAUGHAN ADOPTED OFFICIAL PLAN POLICIES (SEPTEMBER 7, 2010)	OUR COMMENTS & RECOMMENDATIONS FOR REGIONAL CONSIDERATION
Is there a need to be consistent with Provincial and Regional policies that distinguish office scale? Clarification regarding accessory uses in free standing structures on the same lot in the General Employment designation.		same lot as the primary use; B) the accessory retail use is limited to no more than 10% of the total gross floor area of the primary use; and, C) the accessory office use is limited to no more than 7,500 square metres or 40% of the total gross floor area of the primary use, whichever is greatest. iii. Office uses not accessory to and directly associated with any of the uses listed in policy 9.2.2.10.c.i., up to a maximum gross floor area of 7,500 square metres.	is to direct Major Office uses to Regional and Urban Growth Centres, there are situations where non-accessory office use could exceed a cap of 7,500 m2 or even 10,000 m2. In these cases, is an official plan amendment triggered because of the scale of the site and/or business? We note that the Ministry of Municipal Affairs & Housing required a modification to the York Region Official Plan, as adopted by Council December 16, 2009, under Part G – Definitions, Item 65, which reads as follows: <i>Major Office</i> is added to the definitions section as follows. <i>"Freestanding office buildings of 10,000 m2 or greater or with 500 jobs or more."</i>
			Recommendation 1: The Prestige Employment designation would function better, if the current 7,500 m2 limit on non-accessory office uses was increased to a limit of 10,000 m2, which would be consistent with Provincial and Regional objectives in terms of scale of a freestanding office.
<u> </u>		 9.2.2.9 General Employment b) The following uses are permitted in areas designated as General Employment, in addition to those uses permitted through policy 9.2.1.8: i) A full range of industrial uses including 	Under <i>General Employment</i> we note: We note that non-accessory office use is not permitted in a <i>General Employment</i> designation.
			Also, we note with interest that in a <i>General Employment</i> designation, maximum accessory office use is limited to 40% of the total GFA.
		ii) Office and/or retail uses accessory to and directly associated with any of the uses listed in policy 9.2.2.9.b.i. provided that: A) the accessory use is located on the same lot as the primary use;	Recommendation 2: There is a need to clarify the policy intent, which we believe is to permit freestanding accessory office building(s) on the same lot particularly with a large lot configuration. There is a need for clarity regarding the relationship between accessory and non-accessory versus

	NO COL	POLICIES (SEPTEMBER 7, 2010)	FOR REGIONAL CONSIDERATION
		more than 10% of the total gross floor area of the primary use; C) the accessory office use is limited to no more than 40% of the total gross floor area of the primary use.	
ISSUE NO. 6 Policies in Sertion	City of Vaughan Staff Comment (July 28, 2010 Committee of the Whole):	9,2.1.10 Public utilities are permitted in all land use	The Ontario Realty Corporation (ORC) and Hydro One Networks Inc. (HONI) are responsible for managing the Drowing Secondary and Hop Drowing which allowed to be progressed to the progressed of the Drowing Company of the Drowing Com
9.2.2.19 Infrastructure and Utilities, b) are	The policies in the Official Plan will not undermine the marshalling yards. The Parkway Belt Plan recognizes land under Provincial	designations with the exception of the Core reduces of the Natural Heritage Network identified on Schedule 2 and any hazard areas where public	certain secondary land uses, on provincially owned hydro corridor lands. These lands are primarily included in the
supported as they permit secondary uses that are accessory to adjacent land uses subject to the review/approval of the	jurisdiction and identifies infrastructure, utilities or other uses permitted under the Plan. The Official Plan includes an "Infrastructure and Utilities" designation for lands in the City with corresponding policies in Section 9.2.2.19.	utilities may not necessarily be appropriate. Notwithstanding the above, but subject to Section 3.4 of this Plan, public utilities that are authorized under the requirements of the Environmental Assessment Act may be permitted in all land use	Infrastructure and Utilities designation of the Official Plan. Some of the lands designated Infrastructure and Utilities are identified within the Official Plan and are subject to the Provincial Parkway Belt West Plan, as amended.
utility provider, which supports private outdoor storage objectives.	Section 9.2.2.19 was amended per the Vaughan Council adopted Official Plan of September 7, 2010, subsequent to the draft Official Plan, as per ORC recommendation.	designations of this Plan. Secondary land uses such as active and passive recreation, community gardens, other utilities and uses such as parking lots and outdoor storage that are accessory to adjacent	The Infrastructure and Utilities designation of the Council adopted Official Plan permits secondary uses including "parking lots and outdoor storage that are accessory to adjacent land uses." This is consistent with the York Region
	City of Vaughan Staff Recommendation (July 28, 2010 Committee of the Whole): No change is recommended.	land uses, shall be permitted in corridors where they are compatible with surrounding land uses and reviewed/approved by the utility provider.	Official Plan policy 7.5.7, under <i>Energy and Utilities</i> , which encourages "complementary uses on utility corridors" As noted by City Staff, "the Parkway Belt [West] Plan peconizes lands under Provincial jurisdiction and identifies
	In summary, Section 9.2.1.10 was added and Section 9.2.2.19 was amended per the Vaughan Council adopted Official Plan of September 7, 2010, subsequent to the draft Official Plan.	b) The following uses are permitted in areas designated as Infrastructure and Utilities: i) all uses and structures associated with the provision of a utility or municipal service; ii) secondary uses such as passive or active recreation, community gardens, other utilities, parking lots and outdoor storage that are accessory to adjacent land uses subject to the review/approval of the utility provider.	infrastructure, utilities or other uses permitted under the plan." Recommendation: No change is recommended as Section Infrastructure and Utilities 9.2.2.19 b) is supported as it will permit consideration of secondary uses, such as parking lots and private outdoor storage use, where it is accessory to adjacent land uses, per the Infrastructure and Utilities designation.

TABLE A - REVIEW OF ADOPTED VAUGHAN OFFICIAL PLAN WITH RESPECT TO ROYAL GROUP, INC. OBJECTIVES - JANUARY 2011

		es es	m 0
OUR COMMENTS & RECOMMENDATIONS FOR REGIONAL CONSIDERATION	Policy intent is undear. Clarification is recommended regarding the following policy statement: "Such provisions and regulations shall be applied to the proposed development and, where feasible, shall also be extended to the existing use in order to improve its compatibility with the surrounding area"	It is recommended that Figure 7 – Illustration of Selected Mid-Rise Building Policies and Figure 8 – Illustration of Selected High-Rise Building Policies be relocated within the Official Plan to coincide with their respective Building Types and Development Criteria sections.	There is a need to clarify policies regarding surface parking provisions, among other matters, to avoid confusion between the Policies of 9.1.2 and 9.2.1, as it relates to Section 9.2.3 Building Types and Development Criteria and Section 9.2.2 Land Use Designations in terms of General Employment and Prestige Employment.
CITY OF VAUGHAN ADOPTED OFFICIAL PLAN POLICIES (SEPTEMBER 7, 2010)	9.2.1.11 General Land Use Policies Where there is a change in land use designation between lands in an Employment Area and any other designation, the existing neighbouring uses will be protected where necessary by the provision of landscaping, buffering or screening devices, and measures to reduce nuisances and, where necessary, by regulations for alleviating adverse effects included but not limited by lighting, noise and truck traffic. Such provisions and regulations shall be applied to the proposed development and, where feasible, shall also be extended to the existing use in order to improve its compatibility with the surrounding area; and/or, In all cases where a proposed development seriously affects the amenity of the possibility of ameliorating such conditions, as a condition of approving an application, especially where public health and welfare are directly affected.	9.2.3 Building Types and Development Criteria	9.1.2 Urban Design and Built Form 9.1.2.6 That in Employment Areas, new development will be designed to: d. limit surface parking between the front face of a building and the public street or sidewalk
HISTORY	Added to the Vaughan Council adopted Official Plan of September 7, 2010, subsequent to the draft Official Plan.	Relocated per the Vaughan Council adopted Official Plan of September 7, 2010, subsequent to the draft Official Plan.	Not addressed by City Staff.
ISSUE	Policy intent regarding sub-section 9.2.1.11 of General Land Use Policies is unclear.	Figures 7 & 8 in the Official Plan require relocation to correspond with their respective sections.	ISSUE NO. 9 That all policies concerning surface parking provisions as they relate to General Employment and Prestige Employment designations

Royal Group, Inc.

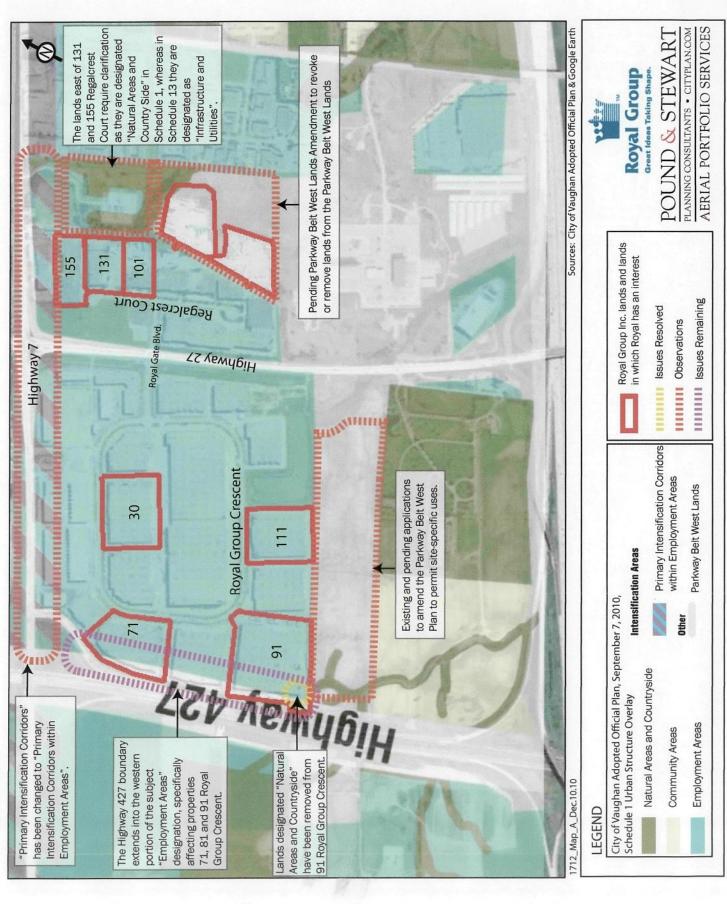
ISSUE	HISTORY	CITY OF VAUGHAN ADOPTED OFFICIAL PLAN POLICIES (SEPTEMBER 7, 2010)	OUR COMMENTS & RECOMMENDATIONS FOR REGIONAL CONSIDERATION	
be carefully considered ensuring clarity in policy intent and		9.2 Land Use Designations and Permitted Building Types	Employment/Industrial Buildings are generally low-rise in form and are supported by parking spaces for both employees and visitors. For the most part, Urban Design	
implementation.		9.2.1 General Land Use Policies	Policies encourage the office component to be located at the front of the building facing a public street. In this constitution	-
		9.2.2.9 General Employment	the emphasis is on providing convenient and accessible	
		f. The following Building Types are permitted in General Employment areas, pursuant to polities in	parking for owners, tenants and visitors.	
		Section 9.2.3 of this Plan:	We note that although under Section 9.2.3.7 there are	
		i. Employment/Industrial Buildings;	specific provisions for surface parking, which appear to	
		ii. Low-Rise Buildings; and	conflict with the surface parking provisions that would apply	
		iii. Mid-Rise Buildings	to Low-Rise buildings and Mid-Rise buildings, where it is not permitted between the front or side of a Low-Rise building /	
		9.2.2.10 Prestige Employment	Mid-Rise building and a public street. This is further	
		f. The following Building Types are permitted in	complicated when it is associated with the policies set out in	
		Prestige Employment areas, pursuant to policies in	9.1.2 Urban Design and Built Form, where 9.1.2.6 reads	
		Section 9.2.3 of this Plan:	"That in Employment Areas, new development will be	
		i. Employment/Industrial Buildings;	designed to: d. limit surface parking between the front face of	4
		ii. Low-Rise Buildings; iii. Mid-Rise Buildings; and,	a building and the public street or sidewalk"	
		Iv. Gas Stations.	Recommendation: That all policies concerning surface	
			parking provisions as they relate to General Employment and	_
		9.2.3 Building Types and Development Criteria	Prestige Employment designations be carefully considered ensuring clarity in policy intent and implementation.	17/1/
		9.2.3.4		
		The following policies and development criteria		
		apply to Low-Rise Buildings:		
		c. Surface parking is not permitted between the		
		front or side of a Low-Rise Building and a public		
		street. Surjace parking eisewnere on a lot with a Low-Rise Building shall generally be setback from		
		any property line by a minimum of three metres and		
		shall be appropriately screened through		
		landscaping		

TABLE A - REVIEW OF ADOPTED VAUGHAN OFFICIAL PLAN WITH RESPECT TO ROYAL GROUP, INC. OBJECTIVES - JANUARY 2011

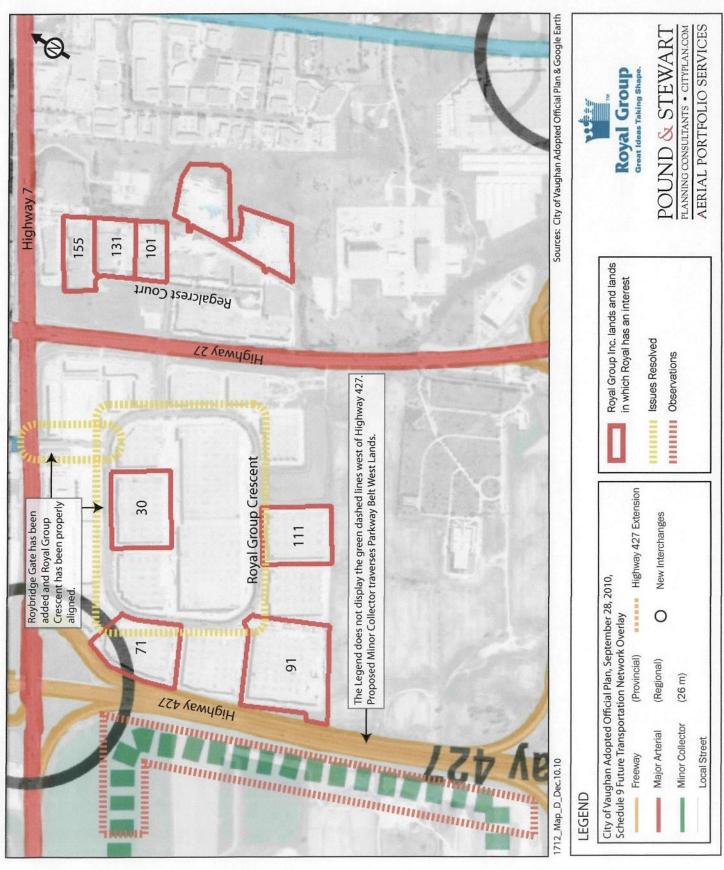
ISSUE	HISTORY	CITY OF VAUGHAN ADOPTED OFFICIAL PLAN POLICIES (SEPTEMBER 7, 2010)	OUR COMMENTS & RECOMMENDATIONS FOR REGIONAL CONSIDERATION
		9.2.3.5	
		The following policies and development criteria	
		apply to Mid-Rise Buildings:	
		e. Surface parking is not permitted between the	
		front or side of a Mid-Rise Building and a public	
		street. Surface parking elsewhere on a lot with a	
		Mid-Rise Building shall generally be setback from	
		any property line by a minimum of three metres and	
		shall be appropriately screened through	
		landscaping	
<u></u>		9.2.3.7	
		The following policies and development criteria	
		apply to Employment/Industrial Buildings:	
		d. Surface parking between the front or side of an	
		Employment/Industrial Building and a public street is	
		limited to one aisle of parking spaces and shall	
		generally occupy no more than 50% of the building	
		frontage.	
		e. All surface parking areas must provide a high level	
		of landscaping treatment and pedestrian pathways.	
		It is encouraged that the grading and landscaping	
		materials for surface parking lots be designed as	
		part of the site's stormwater management system.	

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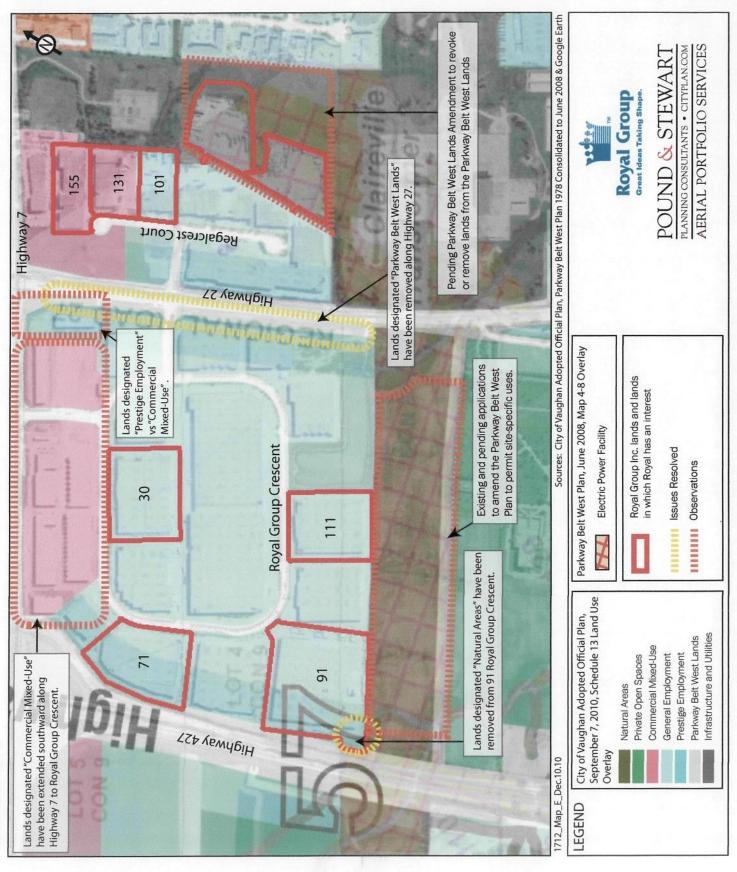
COMPOSITE MAP A

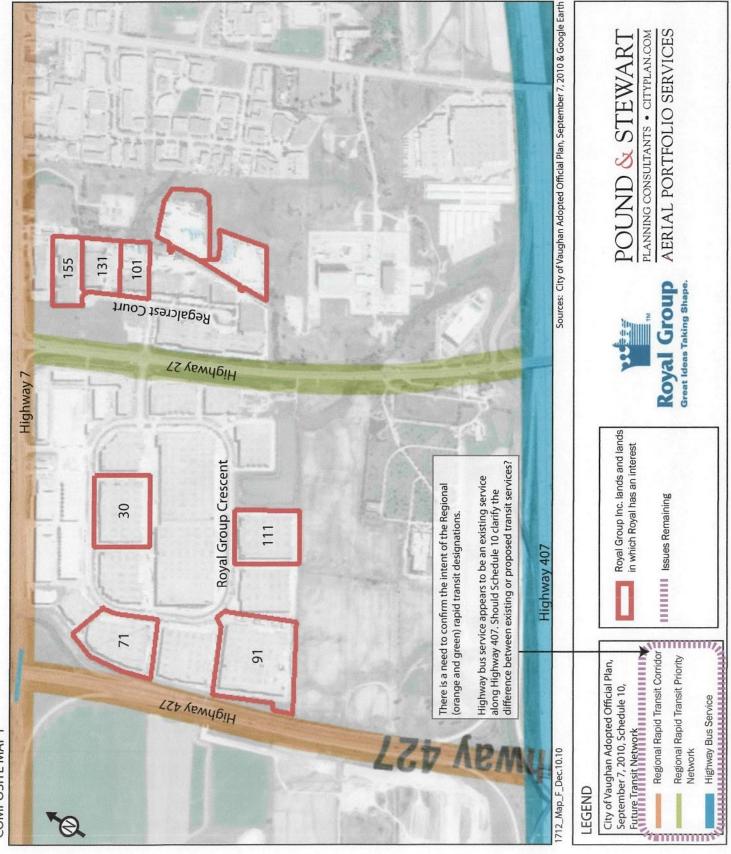


COMPOSITE MAP B

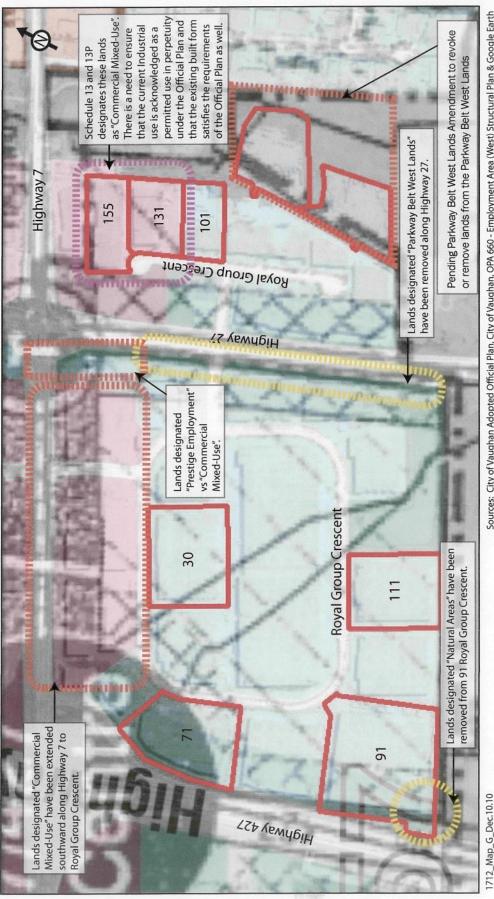


COMPOSITE MAP E



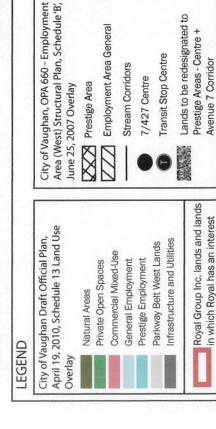


COMPOSITE MAP G



Sources: City of Vaughan Adopted Official Plan, City of Vaughan, OPA 660 - Employment Area (West) Structural Plan & Google Earth

Issues Resolved

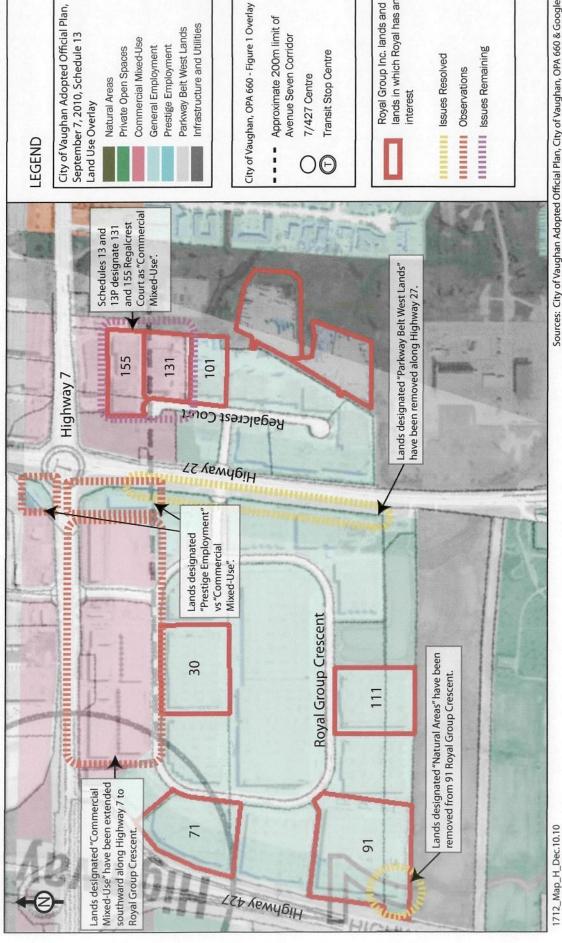


IIIIIIIII Observations Area (West) Structural Plan, Schedule 'B', Lands to be redesignated to **Employment Area General** Prestige Areas - Centre + Fransit Stop Centre Avenue 7 Corridor Stream Corridors



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COMPOSITE MAP H



Sources: City of Vaughan Adopted Official Plan, City of Vaughan, OPA 660 & Google Earth

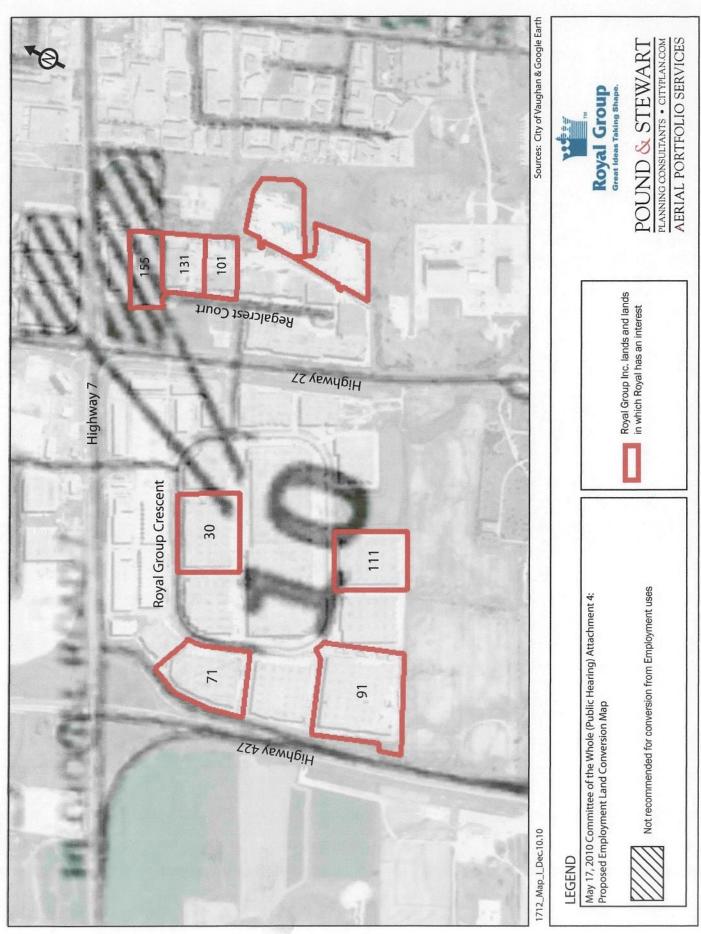
lands in which Royal has an

interest

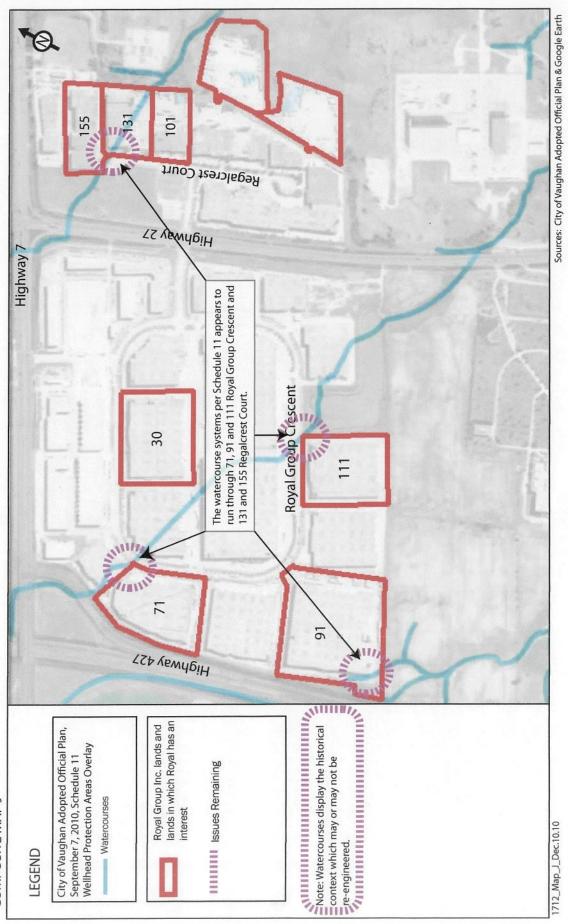
Royal Group Inc. lands and



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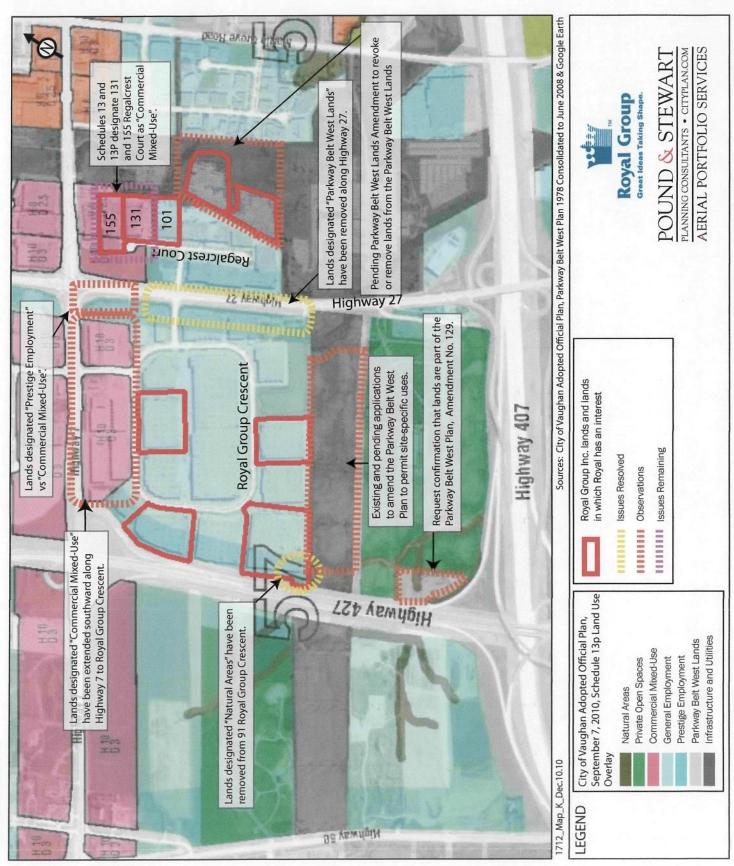


COMPOSITE MAP J



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January 27, 2011

Reply To: Joel D. Farber
Direct Dial: 416.365.3707
E-mail: jfarber@foglers.com
Our File No. 999

VIA EMAIL

York Region Planning Services 17250 Yonge Street Newmarket, ON L3Y 6Z1

Attention: Augustine Ko

Dear Mr. Ko:

Re: New City of Vaughan Official Plan - 4611 Highway 7

We are the solicitors for Forest Green Homes, development proponent of the lands known municipally as 4611 Highway 7. The subject lands are on the south side of Highway 7, just west of Pine Valley Road.

Under the existing Vaughan Official Plan, and in particular OPA 661, the subject lands are designated Prestige Areas – Centres & Corridors, Transit Stop Centre within the Avenue Seven Corridor. The lands therefore have an Official Plan permitted height of 10 storeys, and a target density of 3.0 for the Transit Stop Centre area.

Under the New Vaughan Official Plan as adopted, the lands are designated Mid-Rise Mixed Use but with a height limitation of 8 storeys and a maximum density of 2.5 FSI.

In our client's submission, the previous permission for 10 storeys and a target density of 3.0 FSI is appropriate for the subject lands and in keeping with the immediately adjacent lands in the same land use designation. The New Plan maintains the 10 storey / 3.0 FSI policies for the lands within the Transit Stop Centre, other than our client's lands.

We suspect that the proposed reduction in permitted height and FSI was inadvertent and that the City will request that the Region modify the adopted plan in accordance with our request. It would appear that our client's lands were not recognized as being within the Transit Stop Centre, which they clearly are.

Otherwise, and in any event, we submit that the proposed reduction in permitted height and density is inconsistent with the 2005 PPS and the Growth Plan as it reduces intensification opportunities along a regional intensification corridor. For the same reason, the reduction in



permitted height and density does not conform to the Region of York Official Plan. We also submit that the amended height and density permissions are inconsistent with the designation of adjacent lands and as such do not reflect appropriate planning.

We look forward to working with you towards a resolution of our clients concerns.

Yours truly,

FOGLER, RUBINOFF LLP

"Joel D. Farber"

Joel D. Farber JDF/ay

cc:

Diana Birchall, City of Vaughan Eugene Fera, City of Vaughan

Gilles Bisnaire, Director of Development Forest Green Homes.

K:\UFarber\WpData\Forest Green Homes\New City of Vaughan Official Plan\Letters\Ko - Jan 27 2011.doc



8481 Keele Street, Unit 12 Vaughan, Ontario L4K 1Z7

Tel: 905-669-6992 Fax: 905-669-8992

January 18, 2011

Regional Municipality of York Planning Department 17250 Yonge Street Newmarket, Ontario L3Y 6Z1

Attn: Mr. Brian Tuckey, Commissioner of Planning and Development Services

Dear Mr. Tuckey

RE: City of Vaughan Official Plan 2010

Evans Planning are planning consultants for Vogue Investments Limited and Centre Street Properties Inc., the owners of 1118 and 1136 Centre Street respectively. These properties are located on the north side of Centre Street, between New Westminster Drive and Vaughan Boulevard and have respective lot areas of 1.65 ha (4.06 ac.) and 0.85 ha (2.10 ac.). Each property currently contains a commercial centre comprised of ground floor retail uses and second storey office uses. These buildings were constructed in 1989 (1118 Centre Street) and 1998 (1136 Centre Street). The combined gross floor area of these buildings is 10,220 square metres (110,000 square feet). The location of each property is shown on Appendix '1' attached hereto.

Evans Planning and the ownership of these properties have been active participants throughout the City of Vaughan Official Plan review process, having attended information sessions, an urban design workshop and providing written commentary to the City on the evolving land use policies for these properties and the surrounding area. In addition, our Client has been involved in the on-going planning and infrastructure initiatives which have taken place for the Centre Street area over recent years. These efforts include the Centre Street Study (leading to the adoption of OPA 671 and 672), the Environmental Assessment related to the Regional Transitway and the recent Centre Street Corridor Urban Design Guidelines/Streetscape Study.

Official Plan 2010

Within the City of Vaughan's adopted Official Plan, Volume 1, our Clients' properties are shown to be located within a Primary Intensification Corridor (Schedule '1', Urban Structure) and adjacent to a Regional Rapid Transit Corridor (Schedule '10', Transit Network). The land use designations afforded to these properties, as identified on Schedule 13-T to the Official Plan, are Commercial Mixed Use. The development entitlement designated on Schedule 13-T for 1136 Centre Street is a maximum permitted height of three storeys and a maximum floor space index of 0.8. The corresponding development permissions for 1118 Centre Street are a maximum building height of four storeys and a maximum floor space index of 1.5. The location and adopted designation of each property is shown on the marked extract of Schedule 13-T attached as Appendix '2'.

Section 9.2.2.7 (a) of the Official Plan acknowledges that Commercial Mixed Use areas are located along Primary Intensification Corridors and that these areas shall be "...predominantly commercial areas appropriate for non-residential intensification and making use of existing and planned transit investments." The Official Plan's intent for this area is noted in the same policy wherein it is stated that "These areas are planned to be developed with commercial buildings that allow for a variety of business uses..." This direction is confirmed through the permitted uses provided within Section 9.2.2.7 (b), as only the following uses are allowed:

- i. Office uses up to a maximum of 12,500 square metres;
- ii. Hotel;
- iii. Retail uses; and
- iv. Gas stations ...

Further subsection (c) to this policy requires that a minimum of thirty per cent of all gross floor area on a lot shall be non-retail.

It is important to note, that on lands on the north side of Centre Street, extending westerly from New Westminster Drive to Concord Road, residential uses are not permitted.

A second series of policies relating to the future land use opportunities for 1118 and 1136 Centre Street are found within Volume 2 to the City of Vaughan Official Plan 2010 (Official Plan). The properties are categorized as being located with two distinct development areas, namely, 1136 Centre Street appears to be within Commercial Mixed-Use Area B (CMUB) and 1118 Centre Street is within Commercial Mixed-Use Area C (CMUC). There would appear to be a lack of clarity whether the CMUB policies apply to 1136 Centre Street, as the specific properties which are subject to these polices are identified by street number, and 1136 Centre Street is not included in the listing. This would appear to be in conflict with delineation of the

CMUB area shown on Map 12.10.A. A print of Map 12.10.A with the locations of the subject land shown, is attached hereto as Appendix '3'.

The Official Plan provides that where conflicts arise between the policies established in Volume 1 and those found in Volume 2, the policies contained within Section 12.10 of Volume 2 prevail.

The development policies of the CMUB area require sixty per cent of all gross floor area of buildings to be for business and professional office use and impose a maximum development density of 0.8 F.S.I. Although Low-Rise buildings (up to five storeys) are permitted within the CMUB area, Policy 12.10.5.1 is silent with respect to building height. As such, the maximum building height of three storeys provided on Schedule 13-T to Volume 1, serves as the height control. Residential uses are not permitted within the CMUB area.

The area specific policies associated with the CMUC area generally reflect the policies of Volume 1, with the notable technical exception that the Mid-Rise built form permissions contained within Volume 1 have been deleted and replaced with Low-Rise buildings. Given that the maximum building height of four storeys of Schedule 13-T is carried forward, the change of built form is of little consequence.

Issues

In our opinion, the vision established for the Centre Street Corridor within the Official Plan is shortsighted and reflective of an outdated planning philosophy.

Since the adoption of Official Plan Amendment 210 and its subsequent amendment via Official Plan Amendment 672 which entrenched the General Commercial status of these lands, significant policy and infrastructure changes have taken place or set in motion. Specifically, intensification policies found in the Provincial Policy Statement 2005 (PPS) and the Growth Plan for the Greater Golden Horseshoe 2006 (Growth Plan) promote the efficient use of urban land through intensification, particularly where municipal servicing and transportation infrastructure can be utilized. While the Official Plan acknowledges the Regional Collector status of Centre Street through its classification of this road as a Primary Intensification Corridor, the restrictive development regime provided by the land use policies does not support the principles of the PPS or Growth Plan.

It is clear that the limitation of building heights to three and four storeys, the relatively low density provisions and the prohibition of residential uses along a Regionally and Locally significant transportation corridor, impairs the opportunity of achieving appropriate land use efficiencies.

The under-utilization of these important urban lands is further evidenced when the financial commitment of the Region of York to develop a bus-way along Centre Street is considered. Current busway designs prepared by York Region Rapid Transit for this area contemplate the re-

construction of Centre Street, the concurrent construction of a raised-median, separated busway along Centre Street and the creation of a transit station midway between New Westminster Drive and Vaughan Boulevard. It does not seem plausible that three and four storey commercial/office uses will generate sufficient ridership to support the busway's viability or justify the Region's significant infrastructure investment. The provision of greater land use densities, especially upon those lands immediately adjacent to Centre Street, and the allowance of residential uses as stand alone uses or in a mixed-use form, will create the foundation for a more urban, transit supportive setting which would implement the fundamental elements of the PPS and Growth Plan.

Alternative Policies

In the initial draft of the Official Plan, Volume 1 contemplated the future re-development of the subject lands, and other properties located on the north side of Centre Street between New Westminster Drive and Concord Road, with Mid-Rise Mixed Use development. The draft policies provided for residential development of the subject lands to a maximum density of 2.5 FSI and a maximum building height of eight storeys, in addition to an array of commercial uses.

Our Client was supportive of the land uses envisaged in the draft Official Plan and on June 14, 2010 and July 5, 2010 provided correspondence to the City of Vaughan advising of this position. Copies of these letters are attached as Appendix '4'.

The land use plan and supportive implementation policies contained within the draft Official Plan which proposed Mid-Rise Mixed Use development were produced as a result of extensive study by Vaughan Planning Staff and their consultants and involved considerable public involvement. This work included the assignment of population growth to implement the intensification objectives of the PPS, Growth Plan and Regional Official Plan to appropriate locations within the City. At one point during the Official Plan Review process, the Centre Street Corridor was one such location which was deemed appropriate for residential intensification. The resulting changes to the Official Plan, adopted by the City of Vaughan, are not reflective of the current policy environment or the emerging emphasis of the Centre Street Corridor as a significant transportation resource.

On behalf of our Clients, we support the Mid-Rise Mixed Use policies proposed for the Centre Street area, as originally contained within Volume 1 of the draft Official Plan, and respectfully request that Regional Staff through its approval of the Official Plan, consider a recommendation to modify the Official Plan (Volumes 1 and 2) to reinstate this land use designation and related policies.

While our Clients continue to operate the existing commercial uses, they support the initial policies contained in Volume 1 which were supportive of the intensified re-development of this portion of Centre Street in a coordinated, comprehensive manner. To this end, discussions have been on-going between the principal property owners of land between New Westminster

Drive and Vaughan Boulevard, namely Perls Incorporated, RioCan Holdings Inc. and our Clients. These landholdings represent a significant critical mass of land area, to create a comprehensive concept plan for the re-development of this part of the Centre Street Corridor.

It would be appreciated if you would provide me and my Client's solicitor (Mr. Quinto Annibale of Loopstra Nixon LLP) with notice of any decision made with respect to the Vaughan Official Plan 2010 or any meeting held to consider any aspect of the Plan.

We would be pleased to meet with Regional Staff to discuss this matter further. Should you have any questions or comments, please contact me at your convenience.

Yours truly,

Murray Evans

cc. Mr. John Zipay, Commissioner of Planning

Mr. Louis I. Greenbaum, Vogue Investments Limited and Centre Street Properties Inc.

Mr. Quinto Annibale, Loopstra Nixon LLP

MODEPHIE MODDEPHIE MODDE KNISTON



January 14, 2011

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

Dear Mr. Ko:

RE: ADOPTED VAUGHAN OFFICIAL PLAN

2107683 ONTARIO LTD., RIOCAN PS INC., AND SRF VAUGHAN PROPERTY INC.

NORTHWEST OF HIGHWAY 27 AND MILANI BOULEVARD

OUR FILE: 9922 BN

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

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

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

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

Concerns with Adopted Official Plan

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

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

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

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

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

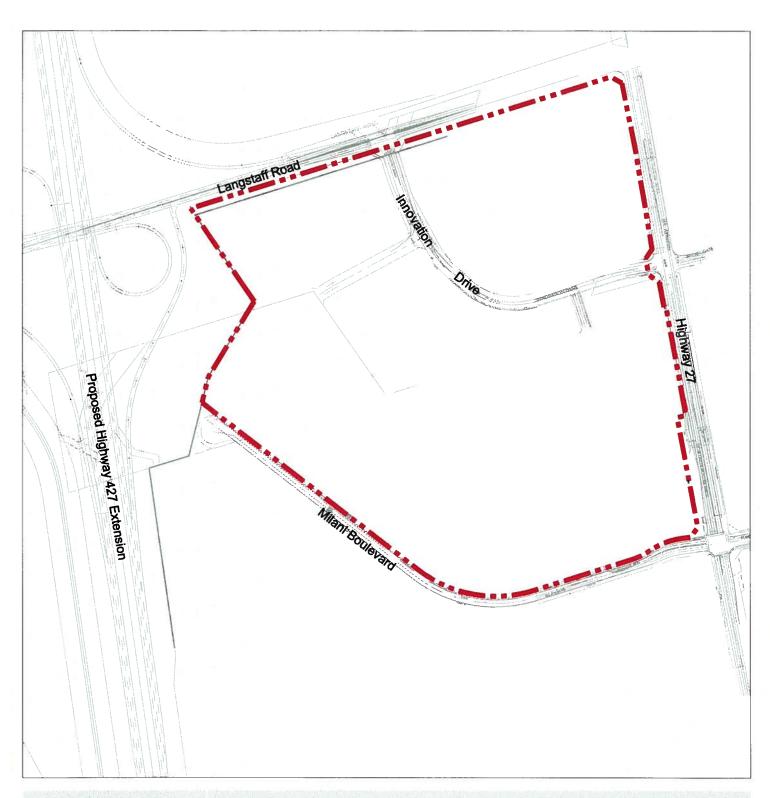
Thank you,

Yours truly,

MHBC

David A.-M. (Kay, MSc, MCIP, RPP

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





LEGEND



Subject Lands

Trinity Development Group

Inc.

Highway 27 & Milani Boulevard Vaughan, ON Region of York

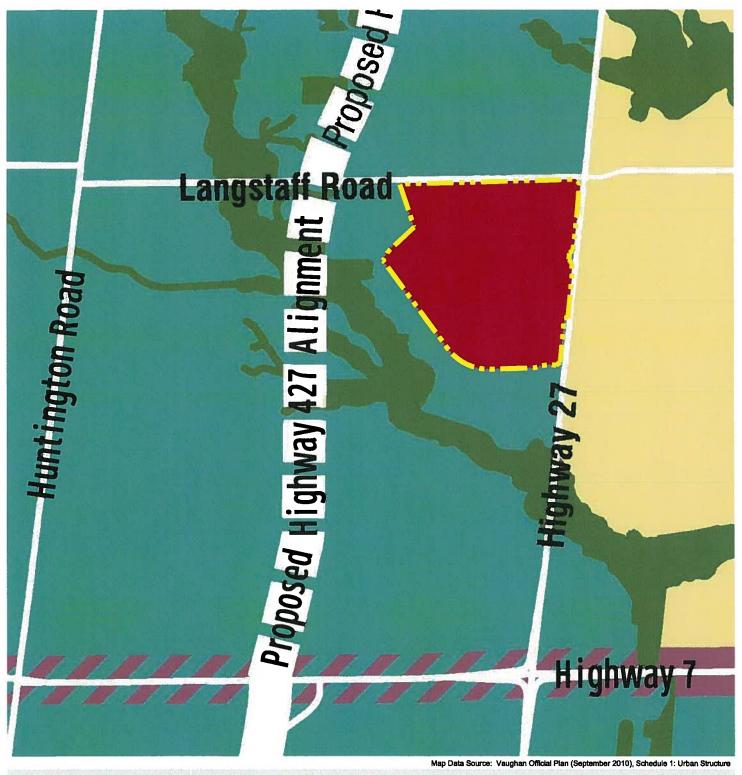
DATE: November 24, 2010

SCALE 1:6,000





N:19922\BN - Vaughan 27 Phase 3\2010\November\KeyPlan_Nov24-10.dwg



Vaughan Official Plan (September 2010)

Schedule 1: **Urban Structure**

Trinity Development Group

Inc.

Highway 27 & Milani Boulevard Veughan, ON Region of York

LEGEND

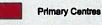
Subject Lands to be redesignated from **Employment Areas to Primary Centres**

N:19922/BN - Vaughan 27 Phase 3\2010\November\OPA Figure_Nov24-10.dwg

Natural Areas and Countryside

Community Areas

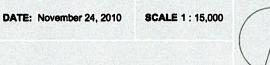
Employment Areas



Primary Intensification Corridors



Primary Intensification Corridors within **Employment Areas**









Fogler, Rubinoff LLP Barristers & Solicitors
95 Wellington Street West
Suite 1200, Toronto-Dominion Centre
Toronto, ON M5J 2Z9
Tel: 416.864.9700 Fax: 416.941.8852
www.foglers.com

January 14, 2011

Reply To: Joel D. Farber
Direct Dial: 416.365.3707
E-mail: jfarber@foglers.com
Our File No. 11/1121

VIA EMAIL

York Region Planning and Development Services 17250 Yonge Street, 4th Floor Newmarket, Ontario L3Y 6Z1

Attention: Mr. Augustine Ko

Dear Sir:

Re: New City of Vaughan Official Plan

And Re: Centre Street Corridor

We are the solicitors for RioCan Holdings Inc., owner of lands on the north side of Centre Street, west of New Westminster Drive. Our client's lands are presently developed with a large commercial centre including a No Frills supermarket and a Winners store.

RioCan shares the view of other owners of land in the Centre Street Corridor between New Wesminster Drive and Vaughan Blvd., that the New Vaughan Official Plan should provide for the potential for future residential development in this part of the corridor. In particular, RioCan submits that the Centre Street lands between New Westminster Drive and Vaughan Boulevard should be permitted residential intensification opportunities, and that modifications to the New City of Vaughan Official Plan are warranted to provide for same.

The initial draft of the Official Plan that was circulated to the public showed the corridor proposed to be designated as Mid Rise Mixed Use including residential permissions, with a potential height of 8 storeys and a density of 2.5 FSI. Centre Street was also shown as a primary intensification corridor. The plan as adopted removes all residential permissions and reduces the permitted densities to 1.5 with four storeys of height.

Residential permissions for the corridor including our client's lands have been removed in the plan as adopted and this change was based on potential incompatibility with surrounding residential communities. However, the frontage and depth of our client's lands as well as the commercial parcels to the west (east of Vaughan Boulevard), can easily accommodate substantial above-grade residential opportunities without any impacts whatsoever on the surrounding grade related residential development.



Centre Street is planned for rapid bus transit service and the subject lands are perfectly located near to public and private amenities, including the major road networks. The subject lands are ideally suited for intensification.

In our opinion, the elimination of intensification opportunities for a range of uses including residential uses in the Centre Street Corridor is poor planning and is inconsistent with the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe and the Region of York Official Plan.

As you know, the Growth Plan and the York Region Official Plan mandate transit supportive densities and a mix of uses for key corridors. The Centre Street Corridor policies do not properly implement the requirements of the Growth Plan and the York Region Official Plan, as an appropriate mix of commercial and residential uses at transit supportive densities, is not provided for.

We invite further discussion between the Region, the City and the other interested landowners, as to the necessary modifications that should be made by the Region to the Centre Street Corridor policies.

Please ensure we are provided with notice of the approval decision.

Yours truly,

FOGLER, RUBINOFF LLP

"Joel Farber"

Joel D. Farber
JDF/ay
cc. RioCan (Stefan Wisnowski)

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Ko, Augustine

From: Planning Solutions [planningsolutions@sympatico.ca]

Sent: January 11, 2011 3:10 PM

To: Ko, Augustine

Subject: Formal Request for Regional Notice of Decision - Proposed City of Vaughn New Official Plan

Good Afternoon Augustine:

Further to our brief discussion can you please add my name to the mailing list so that I formally receive a copy the Regional Notice of Decision for the new City of Vaughan Official Plan when it is issued? Can you please send me a reply E-Mail confirming that my name has been added to the formal mailing list?

Much appreciated,

Regards,

Rob Freeman MCIP, RPP
Freeman Planning Solutions Inc
6424 Edenwood Drive
Mississauga, ON
L5N 3H3
tel (905) 824-4375
cell (416) 689-7290
fax (905) 824-9833
email planningsolutions@sympatico.ca

12/01/2011



CHEMPARK CANDING PRINCE EXPLEMENT RINGALON CANDON

January 7, 2011

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

Dear Mr. Ko;

RE:

ADOPTED VAUGHAN OFFICIAL PLAN

KAU & ASSOCIATES L.P. 7979 WESTON ROAD MHBC FILE: 07163C

We have been retained by Kau & Associates L.P., owner of lands located at 7979 Weston Road in the City of Vaughan, to provide planning services relative to the adopted Vaughan Official Plan. Weston Consulting Group Inc. had submitted a letter to the City on behalf of the owner regarding the draft Vaughan Official Plan on August 27th, 2010. This letter outlined specific concerns relative to 7979 Weston Road. As their requests were not implemented by City staff, we have prepared this letter to request modifications to the Vaughan Official Plan prior to Regional approval.

The property is currently designated 'Prestige Area' in the in-effect Vaughan Official Plan, as per OPA 450. Retail warehouse uses are permitted in the Prestige Area designation through Section 2.2.7.1, Policies Respecting Specific Uses, through a site-specific amendment to the Zoning Bylaw. This condition has been fulfilled on this property by Zoning By-law 380-95. The site is zoned 'Retail Warehouse Employment Area' (EM3) in Zoning By-law 1-88, with site-specific exception 9(922) as introduced by Zoning By-law 380-95. Exception 9(922) separates buildings on the site into building envelopes ('A' and 'B') on Schedule E-1006, with separate permissions and conditions, as follows:

Building Envelope 'A'	Building Envelope 'B'
Retail warehousing is permitted for the following specific commodities:	Retail warehousing must maintain the following minimum floor area thresholds:

- Home and office furniture (not including office supplies);
- Home appliances;
- Home fabrics, linens and upholstery;
- Floor coverings;
- Lighting;
- Pool/patio products;
- Paint and wall paper;
- Windows and doors and related accessories.

- 500 sq. m for retail warehousing;
- 750 sq. m for retail warehousing devoted to apparel sales.

A copy of Zoning By-law 380-95, as modified by the Ontario Municipal Board, is enclosed for your reference. The extensive restrictions on use and unit size have generated hardship for the owners of the land in securing tenants. Additional restrictions would result in the site becoming financially unviable.

The new Official Plan of the City of Vaughan, as adopted by Council, would designate this property as 'Prestige Employment' with an Employment Areas structural overlay. The Prestige Employment designation explicitly prohibits retail warehousing uses. The list of permitted uses in the Prestige Employment designation of the adopted Plan are overly restrictive and not appropriate for the existing retail warehouse site.

The adopted Official Plan recognizes existing uses (Section 10.2.1.3), and allows minor expansions or alterations to such uses subject to certain tests. Should any expansion or alteration proposal not meet these tests, the alteration or expansion would not be able to proceed. This may present challenges for the existing buildings in accommodating future market conditions, new tenancy, or tenant requirements. Should the site ever be redeveloped, the existing use permissions will be lost. Given such considerations, the Kau & Associates L.P. property will be vulnerable to significant loss of flexibility if the Official Plan is approved as proposed.

This site is located in a major retail hub, with surrounding lands being used for retail uses, including major retail uses such as Home Depot, Best Buy, Michaels, and The Brick. Those sites have been allowed to retain their retail permissions in the new Official Plan. If the City desires employment uses on the subject lands, we recommend retail uses also be added to the list of permitted uses on the property, rather than replacing existing permissions. Notwithstanding, the availability of employment-type tenants is uncertain at this time, and the existing units on this site were specially constructed for retail and retail warehouse uses. Therefore a mix of purely employment-type tenants would be difficult to implement on this property. By allowing for retail and retail warehouse use permissions as contemplated in the Commercial Mixed Use designation the site will have the flexibility to respond to tenant opportunities as the market deems appropriate.

In response to the above concerns, we request that the Region implement the following modifications to the adopted Vaughan Official Plan prior to final approval:

- 1. That the site be redesignated to a site-specific Commercial Mixed Use designation which will recognize the retail nature of the existing property.
- 2. That the site-specific Commercial Mixed Use designation include the addition permissions for employment uses. This will ensure flexibility for leasing on this site in the future.
- 3. That the site-specific Commercial Mixed Use designation permit low-rise building form to recognize the existing low-rise development. In addition, the Official Plan's prohibition on surface parking in front or side yards for low-rise buildings should be waived for this site.

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

Please add us to the circulation list for the Notice of Approval of the final Official Plan.

Thank you,

Yours truly,

MHBC

David A. McKay, MSc, MCIP, RPP

CC.

Hans Kau Alexandra Kau Barry Horosko Mauro Peverini

THE CORPORATION OF THE CITY OF VAUGHAN

IN THE MATTER OF Section 34 of the Planning Act, R.S.O. 1990, c.P.13

I, JOHN D. LEACH, of the Town of Caledon in the Regional Municipality of Peel, make oath and say:

- THAT I am the City Clerk of The Corporation of the City of Vaughan and as such have knowledge of the matters hereinafter deposed to.
- 2. THAT By-law Number 380-95 was passed by the Council of the City of Vaughan on the 14th day of December, 1995, and written notice was given on the 20th day of December, 1995 in the manner and form to the persons prescribed in Regulation 44/95 as amended by 139/95.
- 3. THAT notice of appeal setting out objections to By-law Number 380-95 and the reasons in support of the said objections were filed with me within twenty (20) days from the date of the circulation of the by-law.

 AND FURTHER that the said by-law and supporting documentation was forwarded to the Ontario Municipal Board on the 1st day of February, 1996.
- 4. THAT the Board's Order (R960060) made the 9th day of May, 1996 approved the by-law with modifications.
- THAT By-law Number 380-95, as modified, is deemed to have come into effect on the 9th day of May, 1996.

SWORN BEFORE ME in the City

of Vaughan in the Regional.

Municipality of York, this

14th day of November, 1996.

. .

CHART TYPIVIBEROR Commissioner, etc. Symmissioner, etc. Symmission of The City of Venner, coiner, February 10, 1998 FOLIO / 23



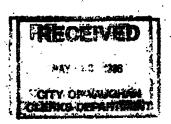
V 950550 R 960060

Ontario Municipal Board

commission des affaires municipales de l'Onterlo

Bourdes Holdings Inc. has appealed to the Ontarlo Municipal Board under subsection 45(12) of the Planning Act, R.S.O. 1990, c. P.13 against a decision of the Committee of Adjustment of the City of Vaughan which granted, upon condition, an application by 648900 Ontario Incorporated numbered A177/95 for a variance from the provisions of By-law 1-88, as amended, respecting 20 Jevian Drive O.M.B. File No. V 950550

Bourdes Holdings Inc. and Bibieffe International Holding B.V. have appealed to the Ontario Municipal Board under subsection 34(19) of the <u>Planning Act</u>, R.S.O. 1990, c. P.13 against Zoning By-lews 379-95 and 380-95 of the City of Vaughan O.M.B. File No. R 960060



COUNSEL:

Merk Noskiewicz

Robert O. Avincam - The City of Vaughan

James W. Harbeil - 648900 Ontario Incorporated
Kau & Associates Ltd. Partnership

1045064 Ontario Limited
- Bourdes Holdings Inc.

Richard P. Quance - Bibleffe International Holding B.V.

MEMORANDUM OF ORAL DECISION delivered by M. F. V. EGER on May 9, 1996 and ORDER OF THE BOARD

At the outset of today's hearing, counsel for Bibleffe International Holding B.V. confirmed that his client was withdrawing their appeal of By-law 380-95. The remaining parties agree that subject to excluding certain permitted uses under Warehouse, Retail on

the subject lands and the inclusion of certain minimum unit size criteria, there are no outstanding issues.

20 Jevian Drive is zoned Prestige Industrial Zone "MP1". On the basis of Mr. Weston's planning evidence, the Board finds the variance, which is to permit an accessory retail area up to a maximum of 30 per cent of the gross floor area of a unit for goods or materials which are warehoused on the property, is minor, desirable for the appropriate development of the site and maintains the intent and purpose of the by-law and the official plan. The appeal of Bourdes Holdings Inc. Is dismissed and the variance granted subject to the following conditions:

- (1) Permitted uses within the building proposed for the subject lands shall exclude the following uses and commodities:
 - supermarket or grocery store;
 - flea market; and
 - the sale of prescription drugs, pharmaceutical products, health and beauty aid products and other similar products administering to the individual and personal needs of persons.
- (2) That if a Building Permit is not issued, based upon this decision and within twelve (12) months of the Board's Order, the said decision shall expire and shall be deemed to have been annulled and rescinded by the Board.

By-laws 379-95 and 380-95 are applicable to 48 and 72 Javlan Drive. The by-laws are sequential in that the former amends the City's Comprehensive Zoning By-law which is in force and effect, while the latter proposes to amend the new Comprehensive Zoning By-law which has been adopted by City Council but not finally approved. Ultimately, the by-laws will result in the properties being rezoned to EM3 - Retail Warehouse Employment Area Zone with restricted uses; exceptions to minimum parking requirements; and minimum frontage and lot area requirements consistent with an EM1 Prestige Employment Area

Zone. The Board is satisfied that the proposed by-laws conform to the City's Official Plan and represent good planning. On this basis, the appeals against Zoning By-laws 379-95 and 380-95 are allowed, in part, and By-laws 379-95 and 380-95 of the City of Vaughan are amended and approved in the manner indicated on Appendix "A" and Appendix "B" respectively, attached to this decision. In all other respects, the Board orders that the appeals are dismissed.

The Board so orders.

M. F. V. EGER

THE CITY OF VAUGHAN

BY-LAW

APPENDIX "B"

BY-LAW NUMBER 380-95

A By-law to amend City of Vaughan By-law 80-95.

WHEREAS the matters herein are not in conformity with the Vaughan Official Plan, which is approved and in force at this time;

AND WHEREAS there has been an amendment to the Vaughan Official Plan (OPA No. 450) adopted by Council but not approved at this time, with which the matters herein set out are in conformity;

AND WHEREAS By-law 80-95 shall only come into effect upon the final approval of Amendment No. 450 to the Vaughan Official Plan;

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

- That City of Vaughan By-law Number 80-95 be and it is hereby amended by:
 - a) Rezoning the lands shown as "Subject Lands" on Schedule "1," hereto from EM1 Prestige
 Employment Area Zone to EMS Retail Warehouse Employment Area Zone in the manner
 shown on Schedule "E-1006".
 - Adding the following paragraph to Schedule 18 thereto:
 9(922) Notwithstanding the provisions of:
 - Subsection 6.1.1 and Schedule 'A' respecting Zone requirements;
 - b) Subsection 2.0 (143), respecting the definition of Retail Warehousing;
 - Subsection 6.1.1 and 6.5.1 a) respecting uses permitted in an EM3 Retail
 Warehouse Employment Area Zone;
 - d) Subsection 3.8 a) and 6.1.1 respecting the parking requirement for a retail warehouse use;
 - e) Subsection 6.1.1 and Schedule "A" respecting minimum (at area and minimum lot frontage requirements in an EM3 Retail Warehouse Employment Area Zone;

The following provisions shall apply to the "Subject Lands" shown on Schedule
"E-1006":

al) All buildings and structures erected on the "Subject Lands" shall be located within the area designated as Building Envelope "A" and "B" on Schedule "E-1008"

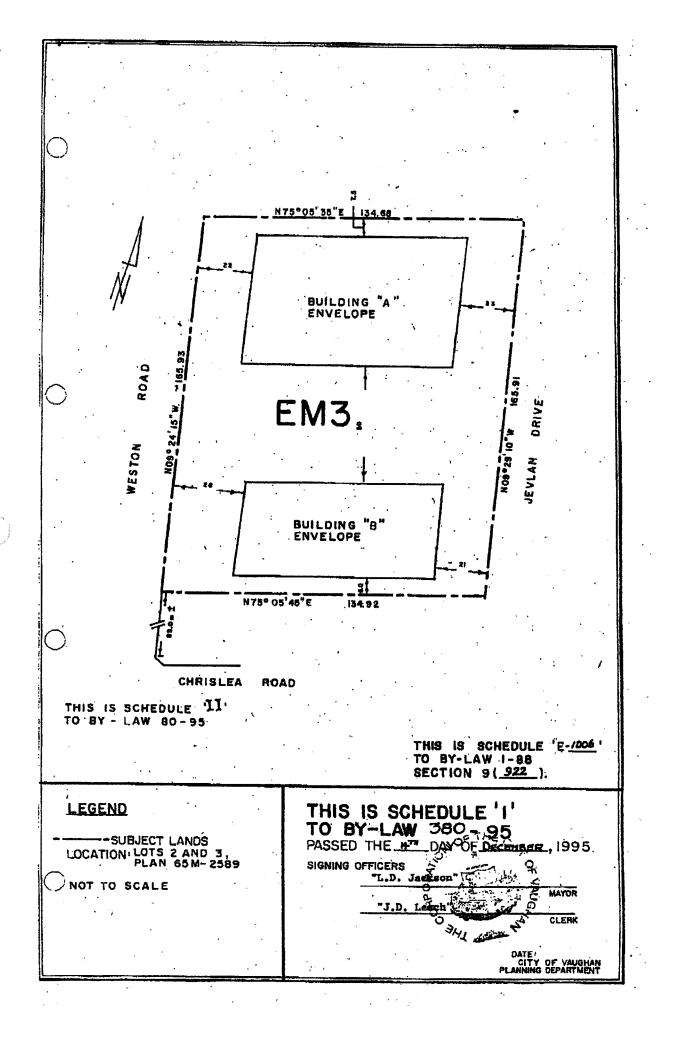
bi) For the purposes of this paragraph, the following definition shall apply to

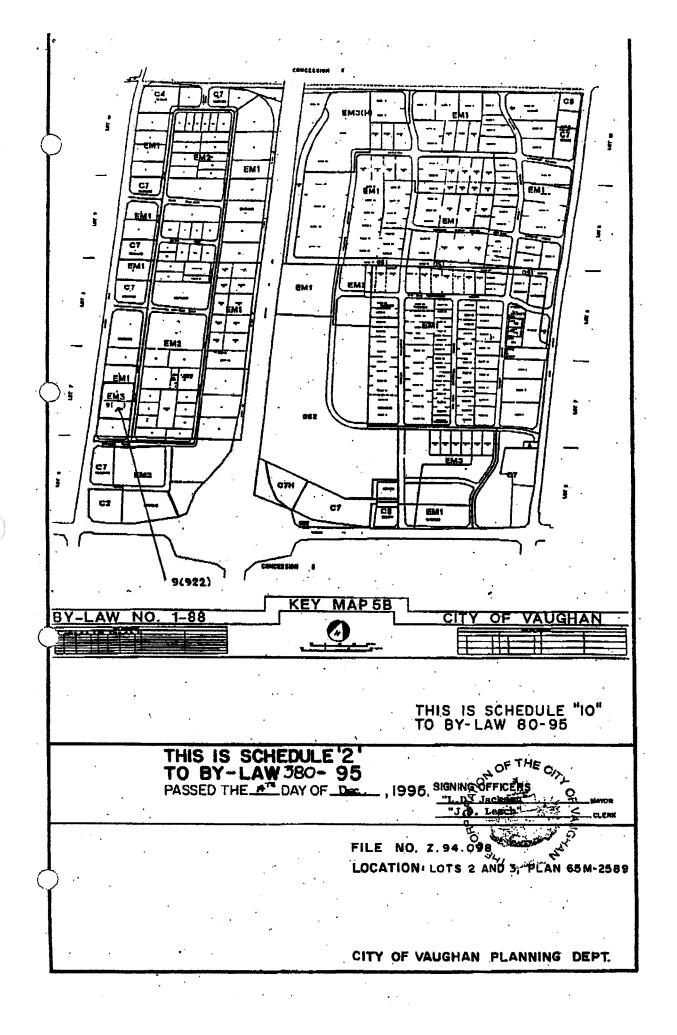
Bullding Envelope "A" only as shown on Schedule "E-1006":

Warehouse, Retail - Means a building or part of a building where commodities are stored and sold in an integrated format, but does not include supermarket, grocery store, flea market or the sale of prescription drugs, pharmaceutical products, health and beauty aid products and other similar products administering to the individual and personal needs of persons.

- ci) Permitted uses within the building constructed in Building Envelope "A" on Schedule "E-1006" shall only include retail warehousing of the following specific commodities:
 - home and office furniture, but not including office supplies
 - home appliances
 - home fabrics, linens and uphoistery
 - floor coverings
 - window coverings
 - lighting
 - pool/patio products
 - paint and wall paper
 - windows and doors and related accessories
- di) A minimum of 2.7 spaces per 100 sq.m G.F.A. shall be provided for the building constructed in Building Envelope "A" shown on Schedule "E-1006".
- ei) Building "B" on Schedule "E-1006" shall be devoted to retail warehousing with a minimum unit size of 500 sq.m. Retail warehousing units devoted to apparel sales are restricted to a minimum unit size of 750 sq.m.
- ff) The minimum lot area shall be 8,000 sq.m.
- ; gi) The minimum lot frontage shall be 66 m.,
- c) Adding as Schedule "II", the schedule attached hereto as Schedule "1" being then Schedule "E-1006" to By-law 1-86.
- d) Deleting Key Map 5B being Schedule "10" to the By-law, and substituting therefor the Key Map 5B, attached hereto as Schedule "2".
- 2. Schedules "1" and "2" shall be and hereby form part of this By-law.

For the purposes of this paragraph, the following definition shall apply to Building Envelope "A" only as shown on Schedule "E-1008": Warehouse, Retail - Means a building or part of a building where commodities are stored and sold in an integrated/format, but does not include a supermarket or flea market. Permitted uses within the building constructed in Building Envelope 'A' on Schedule "E-1006" shall only include retail warehousing of the following specific commodities: holine and office furniture, but not including office supplies home vabrics, linens and upholstery floor coverings window dpverings lighting pool/patio piloducti ors and related accessories windows and d A minimum of 2.7 spaces per 100 sq.m G.F.A. shall be provided for the building constructed in Building, Envelope "A", shown on Schedule E-1006". The minimum lot area shall be 8,000 st.m. The minimum lot frontage shall be 65 m. Adding as Schedule 71, the schedule attached hereto as Schedule "1" being then Schedule "E-1006" to By-law 1-58. Deleting Key Map/58 being Schedule *10" to the By-law, and substituting therefor the Key Map 5B, attached hereto as Schedule "2". Schedules "1" and 1/2" shall be and hereby form part of this By-READ a FIRST; SECOND and THIRD time and finally passed this 14th day of December 1995. "L.D. Jackson" L.D. Jackson, Mayek J.D. Leach" J.D. Leach, City Clerk



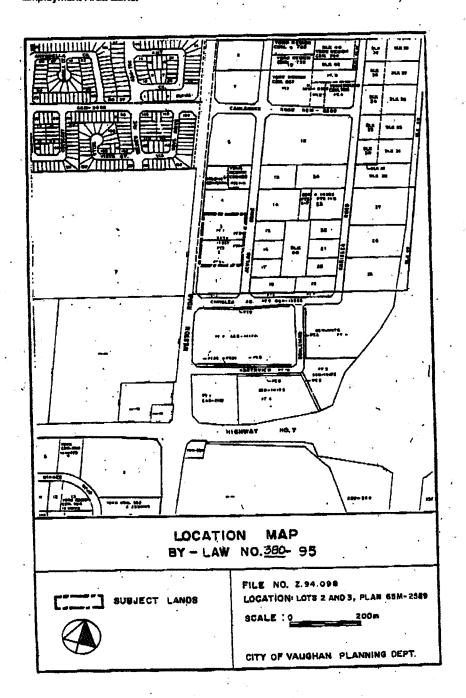


SUMMARY TO BY-LAW 380-95

The lands subject to this by-law are located north of Christee Road, between Weston Road and Javian Drive, being Lots 2 and 3, Plan 65M-2589, and known municipally as 46 and 72 Jevian Drive, in Lot 7, Concession 5, City of Vaughan.

The purpose of this by-law is to:

- rezone the lands to an EM3 Retail Warehouse Employment Area Zone with an exception to restrict
 the uses for the building constructed in Building Envelope "A";
- Include a definition of retail warehouse use for the building constructed in Building Envelope 'A';
- provide an exception to the minimum parking requirement to allow for 2.7 spaces per 100 sq.m Q.F.A. for the building constructed in Building Envelope 'A';
- provide for a minimum frontage and lot area requirement consistent with an EM1 Prestige Employment Area Zone.





FORM 1

PLANNING ACT

NOTICE OF THE PASSING OF A ZONING BY-LAW BY

THE CORPORATION OF THE CITY OF VAUGHAN

TAKE NOTICE that the Council of The Corporation of the City of Vaughan passed By-law Number 380-95 on the 14th day of December, 1995 under Section 34 of the Planning Act. as amended by BILL 163.

AND TAKE NOTICE that any person or agency may appeal to the Ontario Municipal Board in respect of the by-law by filing with the City Clerk of The Corporation of the City of Vaughan not later than the 9th day of January, 1996, a notice of appeal setting out the objection(s) to the by-law and THE REASONS IN SUPPORT OF THE OBJECTION(S).

explanation of the purpose and effect of the by-law, describing the lands to which the by-law applies, and a key map showing the location of the lands to which the by-law applies are attached. The complete by-law is available for inspection in my office during regular office hours.

DATED at the City of Vaughan this 20th day of December, 1995

Desol Bricolnie

City Clerk
The Corporation of the City of Vaughan
Civic Centre

7141 Major Mackenzie Drive Rughan, Ontario L6A 1T1

1

IT WILL NOT BE CONSIDERED AN OBJECTION(S).

A A

OBJECTION FILED PRIOR TO THE ENACTHENT OF THE BY-LAW IS NOT A

NOTICE OF APPEAL.

NOTE:

The Flanning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name or names of individual group members, and not in the name of the group.

THE CITY OF VAUGHAN BY-LAW

BY-LAW NUMBER 380-95

A By-law to amend City of Vaughan By-law 80-95.

WHEREAS the matters herein are not in conformity with the Vaughan Official Plan, which is approved and in force at this time;

AND WHEREAS there has been an amendment to the Vaughan Official Plan (OPA No. 450) adopted by Council but not approved at this time, with which the matters herein set out are in conformity;

AND WHEREAS By-law 80-95 shall only come into effect upon the final approval of Amendment No. 450 to the Vaughan Official Plan;

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

- That City of Vaughan By-law Number 80-95 be and it is hereby amended by:
 - a) Rezoning the lands shown as "Subject Lande" on Schedule "1" hereto from EM1 Prestige Employment Area Zone to EM3 Retail Warehouse Employment Area Zone in the manner shown on Schedule "E-1006".
 - b) Adding the following paragraph to Schedule 18 thereto:

'9(922) Notwithstanding the provisions of:

- a) Subsection 6.1.1 and Schedule "A" respecting Zone requirements;
- b) Subsection 2.0 (143), respecting the definition of Retail Warehousing;
- Subsection 6.1.1 and 6.5.1 a) respecting uses permitted in an EM3 Retail
 Warehouse Employment Area Zone;
- Subsection 3.8 a) and 6.1.1 respecting the parking requirement for a retail warehouse use;
- e) Subsection 6.1.1 and Schedule "A" respecting minimum lot area and minimum lot frontage requirements in an EM3 Retail Warehouse Employment Area Zone;

The following provisions shall apply to the 'Subject Lands' shown on Schedule 'E-1006':

ai) All buildings and structures erected on the 'Subject Lands' shall be located within the area designated as Building Envelope "A" and "B" on Schedule 'E-1008'

bi) For the purposes of this paragraph, the following definition shall apply to Building Envelope 'A' only as shown on Schedule 'E-1006':

Warehouse, Retail - Means a building or part of a building where commodities are stored and sold in an integrated format, but does not include a supermarket or flex market.

- oi) Permitted uses within the building constructed in Building Envelope 'A' on Schedule 'E-1006' shall only include retail warehousing of the following specific commodities:
 - home and office furniture, but not including office supplies
 - home appliances
 - home fabrics, linens and upholstery
 - floor coverings
 - window coverings
 - lighting
 - pool/patio products
 - paint and wall paper
 - windows and doors and related accessories
- di) A minimum of 2.7 spaces per 100 sq.m Q.F.A. shall be provided for the building constructed in Building Envelope "A" shown on Schedule "E-1006".
- el) The minimum lot area shall be 8,000 sq.m.
- ell) The minimum lot frontage shall be 65 m.
- c) Adding as Schedule "I", the schedule attached hereto as Schedule "1" being then Schedule "E-1006" to By-law 1-85.
- d) Deleting Key Map 58 being Schedule "10" to the By-law, and substituting therefor the Key Map 58, attached hereto as Schedule "2".
- 2. Schedules "1" and "2" shall be and hereby form part of this By-law.

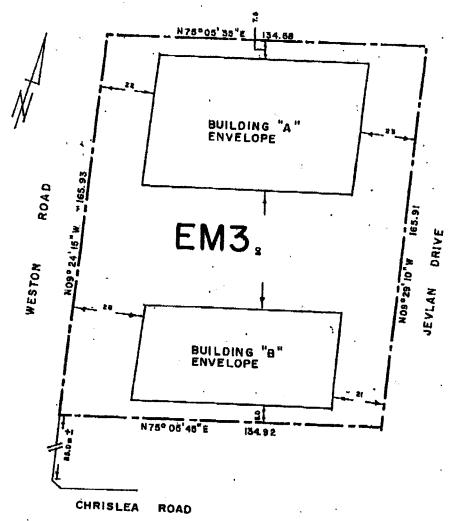
READ a FIRST, SECOND and THIRD time and finally passed this 14th day of December 1905.

"L.D. Jackson"

LD. Jackson, Mayor

"J.D. Leach"

J.D. Leach, City Clerk



THIS IS SCHEDULE 'II'

THIS IS SCHEDULE 'E-/DOG' TO BY-LAW 1-88 SECTION 9 (922).

LEGEND

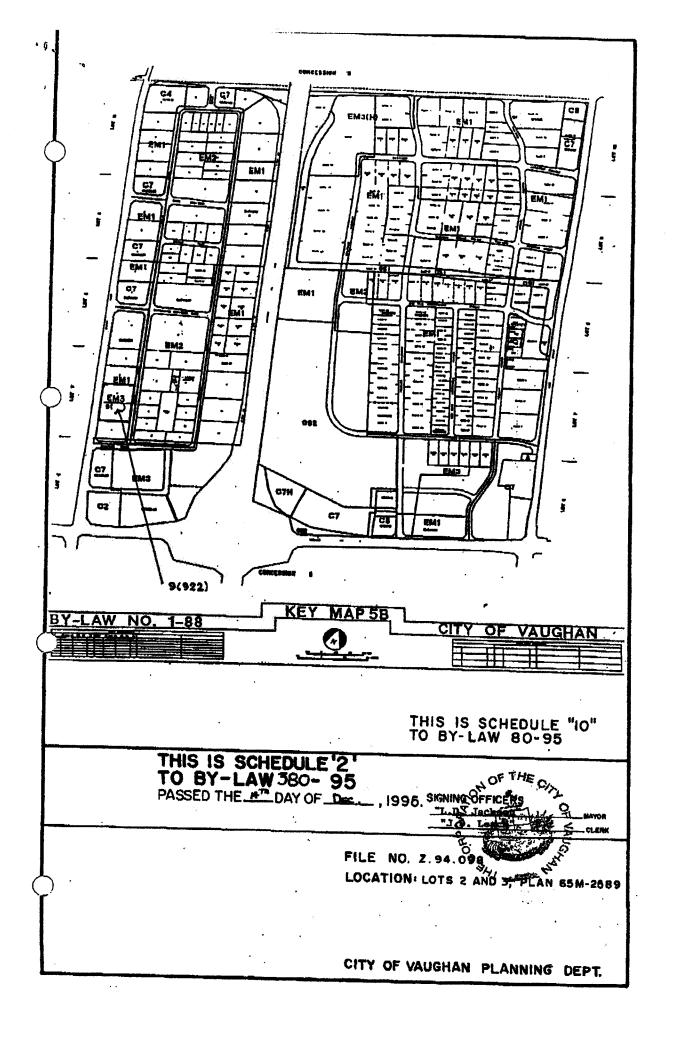
-SUBJECT LANDS LOCATION: LOTS 2 AND 3, PLAN 65M-25B9

NOT TO SCALE

THIS IS SCHEDULE '1' TO BY-LAW 380-95 PASSED THE NO DAY OF DECEMBER, 1995. SIGNING OFFICERS

SIGNING OFFICERS "L.D. Jed MAYOR CLERK

DATE: CITY OF VAUGHAN PLANNING DEPARTMENT

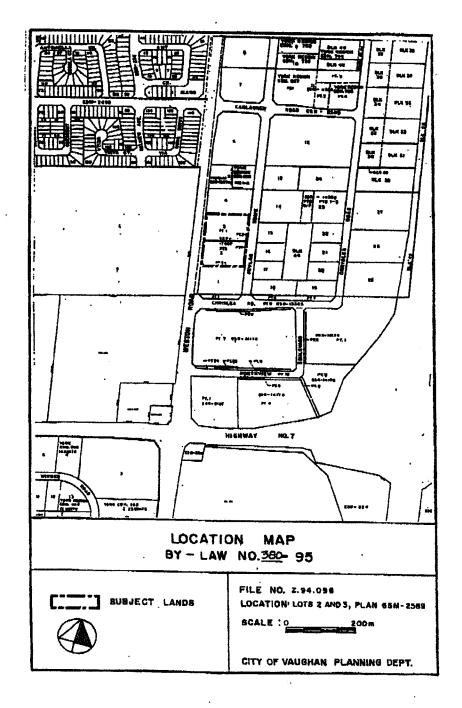


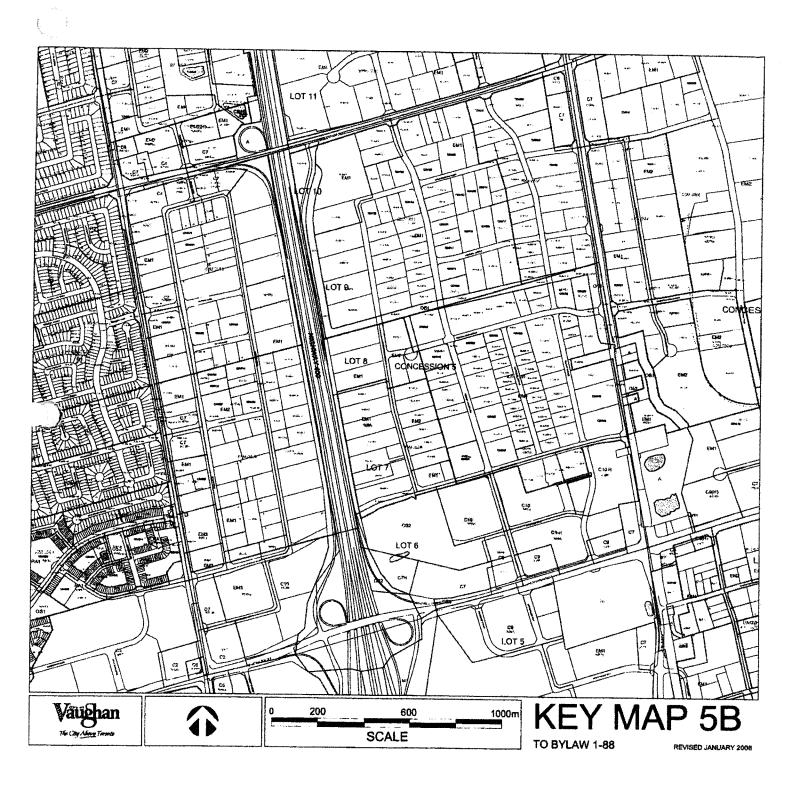
SUMMARY TO BY-LAW 380-95

The lands subject to this by-law are located north of Christia Road, between Weston Road and Jevian Drive, being Lots 2 and 3, Plan 65M-2589, and known municipally as 46 and 72 Jevian Drive, in Lot 7, Concession 5, City of Vaughan.

The purpose of this by-law is to:

- rezone the lands to an EM3 Retail Warehouse Employment Area Zone with an exception to restrict the uses for the building constructed in Building Envelope "A";
- include a definition of retail warehouse use for the building constructed in Building Envelope *A*;
- provide an exception to the minimum parking requirement to allow for 2.7 spaces per 100 sq.m. G.F.A. for the building constructed in Building Envelope "A";
- provide for a minimum frontage and jot area requirement consistent with an EM1 Prestige Employment Area Zone.







Catholic Education Centre, 320 Bloomington Road West, Aurora, Ontario L4G 3G8
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Fax 905-713-1272 • www.ycdsb.ca

December 15, 2010

By Email

Augustine Ko Senior Planner York Region 17250 Yonge Street Newmarket, Ontario L3Y 6Z1

Dear Mr. Ko,

RE: Adopted Official Plan and Associated Secondary Plans

City of Vaughan

Thank you for the opportunity to comment on the Official Plan and associated Secondary Plans, which were adopted on September 7, 2010. Our letters to the City of Vaughan (attached) identified a number of concerns, some of which are outstanding.

Official Plan

Policy 9.2.3.8 (b)

The OP states that institutional buildings shall "generally be oriented to front onto a public street and provide direct and safe pedestrian access, separated from parking lots, to any main building entrance".

Policy 9.2.3.8 (c)

The OP further states that "surface parking is discouraged between the front or side of a Public and Private Institutional Buildings and a public street". We do not support these policies as it negatively impacts on school site design and traffic management. We generally design school sites to include front and/or side parking for the following reasons:

- We locate our barrier free (handicapped parking) spaces close to the front door of the building. (for security and student safety reasons we have all visitors enter through the front doors)
- Some "Front" parking minimizes the penetration of cars into school property and provides an opportunity for a pickup and drop off loop, generally reserved for busses.
- The majority of our school sites have a dual frontage. This is intentional to provide opportunities for one loop and parking areas on either frontage separating parent and bus pick up and drop off. Given the policy in subsection b requiring buildings to front onto the street, these policies restrict parking at both frontages and seriously impact the configuration of our sites, potentially requiring a larger school site.
- In reviewing our sites with the principles of CPTED (Crime Prevention Through

Environmental Design), creating a non-supervised area accessible by vehicles runs contrary to those principles.

Policy 9.2.3.8 (d)

The OP states that "the rooftop of all public and private institutional buildings shall include landscaped greenspace, private outdoor amenity space or environmental features such as solar panels." School boards have always embraced achieving energy efficient designs and incorporate green technologies within our allotted funding; however we do not support a requirement for specific design or green technologies as they may increase costs above funding, which may jeopardize the approval of a new school. We suggest that the policy should be changed from "shall include" to <u>are encouraged to include</u> recognizing our commitment to working with the Ministry to fund such initiatives.

Vaughan Metropolitan Centre Secondary Plan

Recognizing the school sites depicted on Schedule F represent a general location, and that specific orientation will be addressed later in the development process the school board requests that some mechanism be introduced into the secondary plan to ensure details regarding size, location, and configuration of school sites are determined prior to development commencing within the community. It is suggested that this mechanism can take place through a phasing plan or requirement to review the provision of all services at milestones in the development approval process (i.e. every 2,000 units approved).

With respect to **Section 7.2.4**, which states that "The School Boards shall be encouraged to develop alternative standards for new schools in high density neighbourhoods."

Please be advised that there are a number of factors and issues that must be addressed in considering a smaller building footprint, such as premiums in construction costs, programming, use of the facility and safety.

Please note that our current site standard breakdown is as follows:

Building Envelope for 2-storey school	.75 acres
Hard Surface Play Area	0.5 acres
Playfield	1.25 acres
Green/ Open space	0.75 acres
Parking/Vehicular Circulation	1.2 acres
Bus Loop	0.45 acres
Municipal Set Backs (10m -12m)	1.0 acres
,	5.9 acres

Policy 7.1.1

We suggest the insertion of configuration in the following policy wording:

"...the City shall work with the Region of York, the School Boards and other public agencies to assess the need for community facilities and determine or confirm the appropriate location(s), configuration, form and program for required facilities."

Policy 7.1.2

It is our understanding that school boards would not be required to enter into any agreements with landowners.

Policy 7.2.5

We support Policy 7.2.5 with reference to Section 37 of the Planning Act, which is detailed in Policy 8.1.1.2

Policies 5.5.3 and 5.5.4

With respect to the environmental site design requirements outlined in policies 5.5.3 and 5.5.4:

School boards have always embraced achieving energy efficient designs and incorporate green technologies within our allotted funding from the Provincial Government; however we would not support a requirement for specific design or green technologies as they may increase costs above funding, which may jeopardize Ministry of Education approval of a new school.

We ask that similar to Section 5.5.2, that school boards be excluded from these requirements and that the policy wording be amended to specify "...institutions, with the exception of schools, ...".

Policy 8.7.1 (d)

This policy states that "Surface parking in the South and Neighbourhood Precincts, where appropriate, shall be located in the interior of a development block, accessed from a rear laneway and screened by buildings....Off-street surface parking shall not be located between the building and the street."

The Board requests that some parking between the building frontage and the street be permitted for the elementary school in the South and Neighbourhood Precincts, due to design issues as identified above in response to Policy 9.2.3.8.

Kleinburg-Nashville Secondary Plan

Two school sites are identified on Schedule B2 of the Kleinburg-Nashville Secondary Plan. We look forward to an opportunity to determine their specific size and configuration.

According to **Policy 4.12 (c)**, "The City, in consultation with the School Boards, will promote efficient, urban school site sizes, minimize overall school site footprints, and maximize the area available for on-site recreational and athletic use through the construction of multiple storey buildings that permit smaller building floor plates."

This policy is similar to section 7.2.4 of the Vaughan Metropolitan Centre Secondary Plan, please refer to the comments above regarding current site standards.

We look forward to working with the Region in the development of a final document and are available for any questions or clarification you may require.

If you require further information, I can be contacted directly at 905.713.1211, ext. 12360.

Sincerely.

Christine Hyde

Planner

M:\Word Processing\PROPOSAL.RES\OP.ZONING\Vaughan\Vaughan OP\Vaughan Official Plan Comments to Region December 2010.doc

c.c Jessica Peake, YRDSB









Franchement exemplaire:

May 17, 2010

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

Dear Mr. Chong,

By Mail and E-Mail

RE:

Request for Comments

Draft City of Vaughan Official Plan

Thank you for the opportunity to comment on the draft City of Vaughan Official Plan. The increase of 169,500 new residents and 103,900 new jobs by 2031 will have a significant impact on the municipality and the many services required.

In addition to educational facilities schools play a significant role in a neighbourhood's sense of community and focus. There are a number of policies through the Draft Official Plan which may restrict the ability of school boards in providing educational facilities.

Capital funding for new schools is provided by the Province of Ontario through the Ministry of Education. The Ministry of Education has a specific funding benchmark based on a formula per pupil. School boards have always embraced achieving energy efficient designs and incorporate green technologies within our allotted funding; however we do not support a requirement for specific design or green technologies as they may increase costs above funding, which may jeopardize the approval of a new school.

The school boards suggest that language throughout the official plan be amended to reflect an **encouragement** instead of a requirement with respect to school boards.

We support the direction of the Draft Official Plan with respect to centrally locating service facilities within a community as well as emphasizing programs such as Active and Safe Routes to school to create walkable, livable communities.

There are a few policies within the Draft Official Plan which cause some concern for school boards. The specific policies and concerns are as follows.

Section 7.2.3 Schools and Daycare

7.2.3.1 (pg 206)

The draft OP identifies working with the school in the determination of school site specifics. We would suggest recognition of the Board's site acquisition policies and suggest the following addition to the paragraph.

"The precise location, size and number of schools shall be established by the City in consultation with the appropriate English and French Public and Catholic school boards consistent with the policies of each board."

7.2.3.2 (pg 206):

With respect to intensification areas and smaller school sites. It may be appropriate for the City to consider the role section 37 of the *Planning Act*, may play in addressing concerns of the school board with respect to high density school sites.

Section 9.1.3 Sustainable Development

9.1.3 (pg 256 to 257)

With respect to the concept of Green Development Standards it is suggested that the policy wording be amended to reflect this funding uncertainty and that language such as encourage & subject to available funding be applied to these initiatives with respect to school boards.

Section 9.2.1.9 Design and Built Form

9.2.1.9 (pg 259)

With respect to land use designations, the draft OP lists several uses that are "permitted in all land use designations with the exception of_Natural Areas, Parks, Private Open Spaces, Agricultural, Rural Residential,_Theme Park and Entertainment, and Infrastructure and Utility". Subsection f further states that day cares are permitted, "provided they are located on a public street with a right-of-way of 26 metres or greater, but not within areas designated as General Employment"

It is suggested that an exception should be made to permit day cares in all schools.

Section 9.2.3.8 Public and Institutional buildings.

9.2.3.8 b (pg 291):

The draft OP states that institutional buildings shall "generally be oriented to front onto a public street and provide direct and safe pedestrian access, separated from parking lots, to any main building entrance".

9.2.3.8 c (pg 291):

The draft OP further states that "no parking shall be permitted between the front or side of the building and the street". We do not support these policies as it negatively impacts on school site design and traffic management. We generally design school sites to include front and/or side parking for the following reasons:

- We locate our barrier free (handicapped parking) spaces close to the front door of the building. (for security and student safety reasons we have all visitors enter through the front doors)
- Some "Front" parking minimizes the penetration of cars into school property and provides an opportunity for a pickup and drop off loop, generally reserved for busses.
- The majority of our school sites have a dual frontage. This is intentional to provide opportunities for one loop and parking areas on either frontage separating parent and bus pick up and drop off. Given the policy in subsection b requiring buildings to front onto the street, these policies restrict parking at both frontages and seriously impact the configuration of our sites, potentially requiring a larger school site.

9.2.3.8 d (pg 291):

The draft OP states that "the rooftop of all public and private institutional buildings shall include landscaped greenspace, private outdoor amenity space or environmental features such as solar panels." As noted above, we strive to meet these design objectives when they can be accommodated within funding allotted to school boards by the Ministry of Education. We suggest that the policy should be changed from "shall include" to are encouraged to include recognizing our commitment to working with the Ministry to fund such initiatives.

Thank-you for the opportunity to provide comments on the draft City of Vaughan Official Plan. We request that this letter be included in any record of public input to the Draft Official Plan in order to ensure City Council is fully aware of the school boards' concerns.

We look forward to working with City Staff in the development of a final document and are available for any questions or clarification you may require.

Please feel free to contact us directly at the numbers below.

Sincerely,

Giovanna De Girolamo YCDSB

(905)713-1211 ext. 12361

Jessica Peake YRDSB

(905) 727-0022 ext. 2426

Robert Castel CSDCCS

(416) 397-6564 ext. 3600

Suzanne Labrecque

CSDCSO (416) 614-5917



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Fax 905-713-1272 • www.ycdsb.ca

June 10, 2010

By E-Mail and Mail

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

Dear Mr. Radlak,

Re:

North Kleinburg-Nashville (Focus Areas) Secondary Plan YCDSB Comments and Elementary School Site Request

City of Vaughan

Thank-you for the opportunity to comment on the North Kleinburg-Nashville Secondary Plan, which was released on May 25, 2010.

After reviewing the plan, we have the following comments to offer:

As stated in our letter to the City of Vaughan dated May 28, 2010, based on the total number of units proposed in Focus Areas 1, 2, 5, and 6, there is a need for one Catholic elementary school site within one of the designated focus areas. As stated within the plan, under Section 3.0 Objectives, subsection Neighbourhood Development (Policy v), "The new neighbourhoods must be cohesive and complete." It is our opinion that providing a Catholic elementary school site for the benefit of future residents is an integral component in the creation of a complete community.

Due to the presence of a natural gas pipeline and hydro corridor in Focus Areas 5&6, it is requested that our elementary site be accommodated within the Focus Area 2 community, and that the school site be located in adherence to our school site guidelines (attached).

The board will not be designating a secondary school site within the North Kleinburg-Nashville Focus Areas, however we will continue to work with the City to secure an alternate secondary school site within the Kleinburg-Nashville community.

Section 2.0: Principles

According to **subsection ix.**, LEED certified or other green building technologies are to be promoted. We support this policy as it is written. School boards have always embraced achieving energy efficient designs and incorporate green technologies within our allotted funding from the Provincial Government; however we would not support a requirement for specific design or green technologies as they may increase costs above funding, which may jeopardize Ministry of Education approval of a new school.



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Section 4.0 Land Use Policies

According to **Subsection 4.12 (c)**, "The City, in consultation with the School Boards, will promote efficient, urban school site sizes, minimize overall school site footprints, and maximize the area available for on-site recreational and athletic use through the construction of multiple storey buildings that permit smaller building floor plates."

Please be advised that there are a number of factors and issues that must be addressed in considering a smaller building footprint, such as premiums in construction costs, programming, use of the facility and safety, etc...

Please note that our current site standard breakdown is as follows:

Building Envelope for 2-storey school	.75 acres
Hard Surface Play Area	0.5 acres
Playfield	1.25 acres
Green/ Open space	0.75 acres
Parking/Vehicular Circulation	1.2 acres
Bus Loop	0.45 acres
Municipal Set Backs (10m -12m)	1.0 acres
,	5.9 acres

Subsection 4.1.2 (d., iii) states "The City of Vaughan shall have first right of refusal to acquire all or part of the school site; government agencies and community groups with identified needs shall have the second right of refusal."

We support this policy with the understanding that the school boards currently have a reciprocal agreement with each other. In the event a site is not required for a school board we support the City's first right of refusal. We suggest the policy be amended to recognize our existing agreements.

Section 5.0 Urban Design and Amenity Policies

Subsection 5.7 (d) requires that "buildings be street-front oriented and provide direct access to the street." The policy further states that "parking areas shall be sited to the side, rear or in above or below grade structures". We do not support these policies (nor did we support similar policies when commenting on the new Vaughan Official Plan in our letter dated May 17, 2010) as it negatively impacts on school site design and traffic management. We generally design school sites to include front and/or side surface parking for the following reasons:

- We locate our barrier free (handicapped parking) spaces close to the front door of the building. (for security and student safety reasons we have all visitors enter through the front doors)
- Some "Front" parking minimizes the penetration of cars into school property and provides an opportunity for a pickup and drop off loop, generally reserved for busses.
- The majority of our school sites have a dual frontage. This is intentional to provide opportunities for one loop and parking areas on either frontage separating parent and



York-Cathalte District School Foard

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Fax 905-713-1272 • www.ycdsb.ca

bus pick up and drop off. Requiring building to be street-front oriented restricts parking at both frontages and seriously impacts the configuration of our sites, potentially requiring a larger school site.

Thank-you once again for the opportunity to comment on the North Kleinburg-Nashville Secondary Plan. We look forward to working with the City to accommodate our Catholic elementary school site request, and suggest that a meeting be arranged with representatives from the City later this month to discuss our site needs in further detail.

Should you require additional information or wish to discuss this matter further please do not hesitate to contact me directly at 905.713.1211, ext. 12361.

Sincerely,

Giovanna De Girolamo

Planner

c.c: Jessica Peake, YRDSB (e-mail only)
Ron Palmer, Planning Partnership (Fax Only – 416-975-1580)



Catholic Education Centre, 320 Bloomington Road West, Aurora, Ontario L4G 3G8
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Fax 905-713-1272 • www.ycdsb.ca

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

By Mail and Fax 905-832-8535

Dear Ms. Sicilia,

Re: Vaughan Metro Centre Secondary Plan Comments City of Vaughan

Thank-you for the opportunity to comment on the Vaughan Metropolitan Centre Secondary Plan, which was available for review on May 25, 2010. We have reviewed the plan and have the following comments to provide.

We support the number of school sites (four) depicted within Schedule F and confirm that a minimum of two of the four sites will be designated as Catholic elementary schools. At our Regular Board Meeting on June 8, 2010, Trustees designated two Catholic elementary school sites, and requested that one site be provided north of Highway 7. We note that currently three of the four school sites are located south of Highway 7. We request that one of those school sites be relocated north of Highway 7 and ask that Schedule F be amended to reflect this change prior to final approval of the plan. This will provide a balanced spatial distribution of sites which will promote overall walkability within the community.

Recognizing the school sites depicted on Schedule F represent a general location, and that specific orientation will be addressed later in the development process the school board requests that some mechanism be introduced into the secondary plan to ensure details regarding size, location, and configuration of school sites are determined prior to development commencing within the community. It is suggested that this mechanism can take place through a phasing plan or requirement to review the provision of all services at milestones in the development approval process (i.e. every 2,000 units approved).

With respect to Section 7.2.4, which states that "The School Boards shall be encouraged to develop alternative standards for new schools in high density neighbourhoods."

Please be advised that there are a number of factors and issues that must be addressed in considering a smaller building footprint, such as premiums in construction costs, programming, use of the facility and safety.

Please note that our current site standard breakdown is as follows:

Building Envelope for 2-storey school	.75 acres
Hard Surface Play Area	0.5 acres
Playfield	1.25 acres
Green/ Open space	0.75 acres
Parking/Vehicular Circulation	1.2 acres
Bus Loop	0.45 acres
Municipal Set Backs (10m -12m)	1.0 acres
*	5.9 acres



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Policy 7.1.1

We suggest the insertion of configuration in the following policy wording:

"...the City shall work with the Region of York, the School Boards and other public agencies to assess the need for community facilities and determine or confirm the appropriate location(s), configuration, form and program for required facilities."

Policy 7.1.2

It is our understanding that school boards would not be required to enter into any agreements with landowners.

Policy 7.2.5

We note that Section 8.2 does not describe how the City could utilize the provisions of Section 37 of the Planning Act, and ask that these provisions be outlined somewhere in the document and referenced within Policy 7.2.5.

Policies 5.5.3 and 5.5.4

With respect to the environmental site design requirements outlined in policies 5.5.3 and 5.5.4:

School boards have always embraced achieving energy efficient designs and incorporate green technologies within our allotted funding from the Provincial Government; however we would not support a requirement for specific design or green technologies as they may increase costs above funding, which may jeopardize Ministry of Education approval of a new school.

We ask that similar to Section 5.5.2, that school boards be excluded from these requirements and that the policy wording be amended to specify "...institutions, with the exception of schools, ...".

Policy 8.7.1 (d)

This policy states that "Surface parking in the South and Neighbourhood Precincts, where appropriate, shall be located in the interior of a development block, accessed from a rear laneway and screened by buildings.... Off-street surface parking shall not be located between the building and the street."

The Board requests that some parking between the building frontage and the street be permitted for the elementary school in the South and Neighbourhood Precincts. We generally design school sites to include front and/or side parking for the following reasons:

- We locate our barrier free (handicapped parking) spaces close to the front door of the building. (for security and student safety reasons we have all visitors enter through the front doors)
- Some "Front" parking minimizes the penetration of cars into school property and provides an opportunity for a pickup and drop off loop, generally reserved for busses.
- We try to preserve as much space at the rear of schools for student play areas, as well as
 maximizing green space, particularly where a school site is campused with a



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neighbourhood park.

• In reviewing our sites with the principles of CPTED (Crime Prevention Through Environmental Design), creating a non-supervised area accessible by vehicles runs contrary to those principles.

The school boards suggest that language throughout the secondary plan be amended to reflect an encouragement instead of a requirement with respect to school boards.

We look forward to our continued work with the City to find solutions that are acceptable for all parties.

If you have any questions or wish to discuss this matter further please do not hesitate to contact me at 905.713.1211, ext. 12361.

Sincerely,

Giovanna De Girolamo

Planner

c.c Tim Smith, Urban Strategies (Fax only: 416.340.8400) Jessica Peake, YRDSB (E-Mail Only)



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August 31, 2010

Diana Birchall, Director of Policy Planning The City of Vaughan 2141 Major Mackenzie Drive Vaughan, ON L6A 1T1

By Mail and Fax 905-832-8535

Dear Ms. Sicilia,

Re:

Committee of the Whole Report: Vaughan Metro Centre Secondary Plan Response to Staff Comments and Recommendations

City of Vaughan

We have reviewed the staff comments and recommendations with respect to the Committee of the Whole Report for the Vaughan Metropolitan Centre Secondary Plan. We were pleased with many of the changes proposed, however the issue of parking in front of elementary schools remains a concern to the Board.

Staff's recommendations, suggests a new policy to be added to Section 7.2.4 that states:

"Notwithstanding Section 8.7.1(d), parking for school employees and visitors may be located in interior side yards to minimize the penetration of cars into the school property."

This amendment does not address our original concerns regarding parking restrictions at school sites as outlined in our letter of June 18, 2010. As stated, school sites are designed with front and/or side parking for the following reasons:

- We locate our barrier free (handicapped parking) spaces close to the front door of the building. (for security and student safety reasons we have all visitors enter through the front doors)
- Some "Front" parking minimizes the penetration of cars into school property and provides an opportunity for a pickup and drop off loop, generally reserved for busses.
- We try to preserve as much space at the rear of schools for student play areas, as well as maximizing green space, particularly where a school site is campused with a neighbourhood park.
- In reviewing our sites with the principles of CPTED (Crime Prevention Through Environmental Design), creating a non-supervised area accessible by vehicles runs contrary to those principles.

In addition, prohibiting front parking, and presumably exterior side parking (on dual frontage school sites), will significantly compromise the ability of the school board to provide on site parking and vehicular circulation resulting in increased parking and drop off demands on local streets, increasing congestion and traffic circulation.

We ask that the City reconsider this policy amendment to address the above-noted safety concerns.

If you have any questions or wish to discuss this matter further please do not hesitate to contact me at 905.713.1211, ext. 12361.

Sincerely,

Giovanna De Girolamo Planner

c.c Tim Smith, Urban Strategies (Fax only: 416.340.8400)
 Mauro Peverini, City of Vaughan (Fax Only – 905-832-8535)
 Anna Sicilia, City of Vaughan (Fax Only – 905-832-8535)
 Jessica Peake, YRDSB (E-Mail Only)

Ko, Augustine

From:

Christine Hyde [Christine.Hyde@ycdsb.ca]

Sent:

December 15, 2010 2:51 PM

To:

Ko, Augustine

Cc:

jessica.peake@yrdsb.edu.on.ca

Subject:

Fwd: Adopted Vaughan Official Plan - Request for Comments

Follow Up Flag: Follow up

Flag Status:

Red

Attachments:

Vaughan Official Plan Comments to Region- December 2010.pdf; Joint Vaughan OP Comment Letter May 17 2010.pdf; YCDSB N Kleinburg Nashville Sec. Plan Comments June 2010.pdf; VMC Sec Plan Comments June 2010.pdf; VMC Policy Comments August

30 21010 (parking).doc

Good afternoon Augustine,

Please find attached our comments on the adopted Vaughan OP and Associated Secondary Plans, as well as past comments on both items. As a follow-up, we would like to schedule a joint meeting with Region staff, Vaughan Planning staff and representatives from both school boards to discuss the OP. Can you please advise us, when possible, of a time to meet?

Thanks, Christine

Christine Hyde
Planner
York Catholic District School Board
320 Bloomington Road W
Aurora, Ontario
L4G 0M1
(P) 905.713.1211x12360
(F) 905.713.1269
christine.hyde@ycdsb.ca

---- Original Message -----

Good Morning Augustine,

As a follow-up to our phone call this morning, we would like to schedule a joint meeting with Region staff, Vaughan Planning staff and representatives from both school boards to discuss the recently submitted Vaughan OP.

Presumably we would like to schedule this meeting in advance of the November 30th commenting deadline, however with the Region's OP still not approved, it is my understanding that it could be a number of weeks before the Region begins its review of the individual municipal OP's.

Could you please advise of when you think would be an appropriate time to meet?

Also note that I will be commencing my maternity leave on November 22, 2010, at which point Christine Hyde (christine.hyde@ycdsb.ca) will be overseeing all

Vaughan planning matters on behalf of the Catholic Board.

Thanks.

Giovanna

Giovanna De Girolamo Planner York Catholic District School Board 320 Bloomington Road W Aurora, Ontario L4G 0M1 Phone: (905) 713.1211 x. 12361

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giovanna.degirolamo@vcdsb.ca

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WESTON CONSULTING GROUP INC.

'Land Use Planning Through Experience and Innovation'

December 22, 2010 File No. 4517

The Regional Municipality of York Planning Department 17250 Yonge Street, 4th Floor Newmarket, ON L3Y 6Z1

ATTENTION: Mr. Bryan Tuckey

Dear Sir:

Re: City of Vaughan Official Plan (City of Vaughan By-law 235-2010)

10056 and 10068 Keele Street

City of Vaughan



Weston Consulting Group Inc. (WCGI) is the planning consultant for 1559586 Ontario Inc., the registered owner of properties municipally known as 10056 and 10068 Keele Street in the City of Vaughan.

This submission is provided in relation to the new City of Vaughan Official Plan (Volumes 1 and 2), which was adopted by City Council on September 7, 2010 (By-law 235-2010). WCGI has participated in the City's Official Plan review process on behalf of the owner of the subject property.

A rezoning application for a three-storey mixed-use retail, office and residential complex was filed with the City of Vaughan in 2006 (City of Vaughan file No. Z.06.059), which then proceeded to a Public Hearing on March 26, 2007. A preliminary staff report and department comments were prepared, however the application did not proceed forward from the public hearing. Since that time the owners have developed new plans for the property in keeping with the Maple Heritage Conservation District plan. We anticipate filing a revised Zoning Bylaw Amendment submission and Site Development Approval application in the New Year.

City of Vaughan Official Plan Background, Submissions and Deputations

In our written submissions to the City dated May 17, 2010 and June 14, 2010 (attached), a series of comments were provided; however we suggested that the subject property warrants consideration for having a density permission of 1.5 FSI, whereas the adopted Official Plan contemplates a density of 1.25 FSI. The basis for this request is outlined in the attached submission. This request was conveyed to City planning staff and their consultants on numerous occasions and formed part of our formal deputation at the Public Meeting on May 17, 2010.

The April 2010 version of the City's draft Official Plan (Volume 1) proposed a Low-Rise Mixed-Use designation for the subject property according to Schedules 13 and 13-1. The property is within a Local Centre, the Maple Heritage Conservation District, and is near Major

Since 1981

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Mackenzie Drive, which is a Primary Intensification Corridor and Regional Rapid Transit Corridor. Maximum height and density in the April 2010 draft Official Plan were proposed at 3 storeys and 1.25 FSI, respectively.

Our May 17, 2010 submission outlined our request for greater density permissions for the subject property and provided additional comments related to various policies in the April 2010 draft Official Plan. These comments related to urban design polices, wherein we suggested that many of the urban design policies were too prescriptive in the context of an official plan policy.

A second submission was made on June 14, 2010, which offered additional comments relating to townhouse policies in Volume 1 of the draft Official Plan, and discussed the relationship between Volume 1 and Volume 2 of the draft Official Plan.

City of Vaughan Official Plan (Adopted Version)

On September 7, 2010, City of Vaughan Council adopted Volumes 1 and 2 of the new Official Plan. The Maple Heritage Conservation District Plan was included as part of the adoption of Volume 2. In the adopted version of the Official Plan, the subject property was identified with the proposed designation of Low-Rise Mixed-Use with a maximum height of 3 storeys and maximum density of 1.25 FSI. Several policies related to the Low-Rise Mixed-Use designation and permitted building types were modified or added in this version.

Our client's concerns relate primarily to the proposed permitted density on the subject property and certain proposed policies in relation to townhouses.

Proposed Modifications

Our client supports the proposed designation of Low-Rise Mixed-Use; however, has concerns with regard to the maximum density permitted. If the proposed maximum density for the subject property was applied, it would not facilitate the proposed development of these lands and would not permit the redevelopment of one of the key intensification sites in community of Maple. Accordingly, we request the following modifications be made to the City's Official Plan.

Modification #1 – Schedule 13-I – Land Use (Volume 1)

We request that Schedule 13-I – Land Use be revised to illustrate a maximum density of 1.5 FSI for the subject property.

In our opinion, a proposed increase to the maximum permitted density to 1.5 FSI is apropriate and would not adversely affect the surrounding area.

Furthermore, the subject property is within an Intensification Area and is in close proximity to Major Mackenzie Drive, which is a Regional Rapid Transit Corridor according to the adopted York Region Official Plan. In addition, there are numerous properties in the surrounding areas that are designated as Low-Rise Mixed-Use and have a density of 1.5 FSI, as indicated on Schedule 13-I.

The proposed density of 1.5 FSI can also achieve conformity with the provisions and guidelines of the Maple Heritage Conservation District Plan and is also based on a specific design that is contemplated for the subject property.

Modification #2 - Section 9.2.3.2.d) (Volume 1)

We request that Section 9.2.3.2.d) be modified and/or removed as it relates to the provision of a front-yard and front-door entrance to a townhouse unit flanking a public street.

We recognize that the intent of Section 9.2.3.2.d) is to enhance the streetscape and provide "eyes" on the street that support and encourage activity on public streets. However, in our opinion architectural and design treatments to the façade of the townhouse that faces the public street can provide the same benefits. In our opinion, we feel that this requirement is too prescriptive and should be modified to ensure flexibility in the policy.

We request that the City of Vaughan Official Plan be revised to reflect these proposed modifications. However, should the above modifications, in their proposed format not be acceptable, we would be pleased to discuss alternative modifications that will address our client's concerns.

We trust that the above comments will be considered by Regional Planning Staff in the refinement and ultimate approval of the City's Official Plan. We look forward to working with Regional Staff and City Staff to resolve these matters as soon as possible. We would appreciate the opportunity to meet with Regional Staff to discuss these matters at the appropriate time.

Please consider this our formal request for notice of modifications and/or approvals issued by the Region in relation to the City of Vaughan Official Plan. We also reserve the right to identify further issues, as may be necessary, through the modification and approval process.

Should you have any questions or concerns, please contact the undersigned or Mark Jacobs (ext. 286) at your earliest convenience.

Yours truly.

Weston Consulting Group Inc.

Per:

Ryan Suetter, BES, MCIP, RPP

Associate

cc: J. Zipay, City of Vaughan

G. Uyeyama, City of Vaughan

M. Peverini, City of Vaughan

D. Birchall, City of Vaughan

- S. Lue, City of Vaughan
- M. Rossi, City of Vaughan
- A. Ko, Region of York
- M. Sokolowski, Oskar Group

Attachments:

- 1. Submission letters to the City of Vaughan, dated May 17, 2010 and June 14, 2010;
- 2. Extracts of the July 28, 2010 and August 31, 2010 Staff Reports; and,
- 3. Schedule 13-I Land Use of the City of Vaughan adopted Official Plan



May 17, 2010 File No. 4517

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

Dear Sir:

Dat

Draft City of Vaughan Official Plan - April 2010

10056 and 10068 Keele Street

1559586 Ontario Inc. File No. OP.25.1

Weston Consulting Group Inc. (WCGI) is the planning consultant for 1559586 Ontario Inc., the registered owner of properties municipally known as 10056 and 10068 Keele Street. We are making this submission in response to the City of Vaughan's new Draft Official Plan (April 2010). This submission follows our letter to the City dated July 31, 2010 in relation to the City's *Where and How to Grow* initiative.

The subject property comprises a total land area of approximately 2,714 m² and has frontage on Keele Street and Killian Road. The subject property is located approximately 130 metres north of Major Mackenzie Drive. The lands are currently vacant and do not contain any significant natural features.

The subject property is within the historic community of Maple and is within the Maple Heritage Conservation District. The property is designated as a Local Centre in the new Draft Official Plan. The intersection of Major Mackenzie Drive and Keele Street is the central intersection within Maple and Major Mackenzie Drive is designated as a Primary Intensification Corridor and a Regional Rapid Transit Corridor in the new Draft Official Plan. According to Schedule 13-I, the subject property has a proposed designation of Lowrise Mixed-Use with a height maximum of 3 storeys and a density maximum of 1.25 Floor Space Index (FSI).

In the past several months, the owner has undertaken discussions with Planning Staff to review development options for the property. The owners have retained an architect who has developed several land use concepts for the property. At the present time, a proposal for mixed use buildings is being refined based on the preferred concept.

We support the inclusion of these lands in the intensification area and we support the proposed Low-rise Mixed-use designation. However, it is our opinion that the subject

property warrants higher density permissions than what is presently proposed for the property. This opinion is based on the following:

- Greater density permissions for the subject property will help to achieve the City's 45 % intensification target for development within the existing urban area. It is acknowledged that development sites within this intensification area will achieve varied results in terms of meeting this objective; however this property is presently vacant and can contribute towards meeting this target in the short term.
- 2. The subject property is in close proximity to the Major Mackenzie Drive Rapid Transit Corridor. Proposed Draft Official Plan policy states that "Local Centres shall develop at densities supportive of planned or potential public transit, taking into account the local urban fabric of each Local Centre" (Policy 2.2.5.7.e.). Concepts that have been developed for the property indicate that within the height restriction of three storeys, densities can exceed 1.5 FSI, while providing a compatible built form to surrounding areas and the necessary parking and amenity areas. In our opinion, where a development complies with permitted building height and the density yields more than 1.25 FSI, it would be appropriate to have increased density permissions in order to facilitate intensification and transit supportive development in the area.
- 3. According to the York Region Official Plan, which has been approved by Regional Council, Regional Corridor policies are applicable to Local Corridors located on existing or planned rapid transit corridors (Policy 5.5.6). Key Development Areas are intensification areas on Regional Corridors that are to be identified in the local official plans as intensification areas that "will support an overall long term density target of 2.5 FSI for developable areas" (Policy 5.4.34). Increased density permissions on the subject property will help to achieve this overall target for this Local Centre. It is acknowledged that the Maple Local Centre may not be the City's primary focus for intensification; however, having been identified for intensification, this Local Centre and the subject property's contribution to this overall Regional target should be considered.
- 4. Policy 9.2.1.6 indicates that no development shall exceed the FSI identified on Schedule 13, which is 1.25 FSI for the subject property. In our opinion, this policy is not appropriate if it is to be considered for each individual development site. Given the variety of development sites that exist in Local Centres, we suggest that any density target be applied to the entire Local Centre as an overall target. This would provide flexibility for consideration of certain sites in key areas for higher densities in keeping with an overall target that is measured for the Local Centre. Many of the development sites within the Maple Local Centre are stable and some have densities lower than 1.25 FSI. Certain sites, like the subject property, can support higher densities, which would achieve an overall balance throughout the Local Centre.
- With Major Mackenzie Drive being identified as a Rapid Transit Corridor, the Draft Official Plan states that, "higher intensity uses shall be directed to areas served by

higher-order transit" (Policy 4.2.2.12). As such, the subject property should be considered for higher density permissions.

6. The subject property is located at a key intersection within the area and is surrounded by properties that are also designated Low-Rise Mixed Use. Given the subject property's central location within the Local Centre, higher densities can be supported for the property as the transition to surrounding stable residential areas is expected to be achieved on adjoining commercial lands to the west and north.

Based on the above considerations, we request that the subject property be considered for density permissions of up to 1.5 FSI as opposed to 1.25 FSI. In our opinion, a density of 1.5 FSI will positively contribute to the City's goals of intensification and will support planned transit for this Local Centre. Furthermore, the request for a density of 1.5 FSI is based on development concepts that have been generated for the subject property. It is important to consider the realistic achievement of intensification in Local Centres by providing for the appropriate policies to ensure the delivery of well-designed attractive developments that support existing communities.

In addition to the above comments, please consider the comments below in relation to other Draft Official Plan policies.

Policy 9.2.1.8:

This policy relates to maximum densities and heights, with the intent of the policy to prevent using an increase in one to justify an increase in the other. In our opinion, for the reasons noted above, this policy is too prescriptive and limits flexibility in the Official Plan, which may also result in numerous amendments being made to the document. We suggest that this policy be deleted.

Policy 9.2.2.2.c.:

We recognize the intent of this policy, which is to encourage active uses; however, we request clarification as to whether active uses would include permission for office uses, home occupations and/or service commercial uses as well as retail uses.

Policy 9.2.3.2.a.:

This policy restricts Townhouse blocks to no more than six attached residential units. In our opinion, this policy is too prescriptive and is more appropriately addressed through a zoning by-law regulation. We suggest that this policy be deleted.

Policy 9.2.3.4.d.:

We support the introduction of green initiatives within the new Official Plan. However, we suggest that landscaped green space, private outdoor amenity space or environmental features on rooftops of low-rise buildings should be encouraged, not required. Amenity space provisions could be set out in the Implementing zoning by-law.

We appreciate the opportunity to comment on the new Draft Official Plan and provide our comments in relation to the subject property. We reserve the right to provide further comments in the future in relation to the Draft Official Plan and subsequent drafts. We look

forward to working with the City and their consultants through this process and would be pleased to meet with Staff to discuss our comments in detail.

We request to be notified of future decisions and meetings concerning the City's new Official Plan. For further information related to this submission please contact the undersigned or Mark Jacobs at extension 286.

Yours truly,

Weston Consulting Group Inc.

Per:

Ryan Guetter, BES, MCIP, RPP

Associate

cc. John Zipay, City of Vaughan
Diana Birchall, City of Vaughan
Stephen Lue, City of Vaughan
Pino DiMascio, Urban Strategies
Emily Relsman, Urban Strategies
Mark Sokolowski, Oskar Group

Attachment: Air Photo of Subject Property







4517 File No: Date Drawn: May 17, 2010 Drawn By: Plonner: Scole: NTS

CAD FILE: 4517/air photo/york region.dgn



SUBJECT LANDS

Air Photograph from Google Earth Pro Date of photography; August 31, 2009.

AIR PHOTOGRAPH

10056 AND 10068 KEELE STREET CITY OF VAUGHAN REGIONAL MUNICIPALITY OF YORK



WESTON CONSULTING GROUP INC.

'Land Use Planning Through Experience and innovation'

June 14, 2010 File No. 4517

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

Dear Sir:

Re:

Draft City of Vaughan Official Plan - April 2010

10056 and 10068 Keele Street

1559586 Ontario Inc. File No. OP.25.1

Weston Consulting Group Inc. (WCGI) is the planning consultant for 1559586 Ontario Inc., the registered owner of properties municipally known as 10056 and 10068 Keele Street in the City of Vaughan. The following comments are provided further to the comments in our May 17, 2010 letter to the City and our deputation to the Committee of the Whole on May 17, 2010 concerning the City of Vaughan's new Official Plan (April 2010). Our previous comments remain applicable to the extent that they have not been addressed.

The additional comments herein have been prepared following discussions with Urban Strategies and our review of Section 12.2 – Site & Area Specific policies in Volume 2 of the new Official Plan. We have also provided further comments on certain aspects of Volume 1 that are based on a more a detailed design analysis that has been prepared for the development of the subject property.

We offer the following additional comments with regard to Volume 1:

- 1. Policy 9.2.3.2.d. Townhouse Frontage: This policy states that townhouse blocks that do not front a public street are only permitted if the flanking unit along the public street provides a front door and a front yard facing the street. We generally support this policy; however, it is our opinion that this design objective could be achieved through architectural treatments that could be incorporated into the façade of the townhouse in order to address the public street without a requirement to have a yard or door face the street. We suggest that this policy be reworded to provide for flexibility in this regard.
- Policy 9.2.3.2.e. Townhouse Separation: We agree that there should be an appropriate facing distance between townhouses on a private street; however, it is our opinion that a prescribed distance should not be provided in the Official Plan, but should be assessed on a site specific basis and implemented through zone standards or design guidelines, as appropriate. We suggest that the

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proposed Official Plan policy be revised to provide general policies that will ensure townhouses provide an appropriate facing distance between units on a private street to ensure adequate daylight, landscaping and amenity space for units.

The following comments are provided with regard to Volume 2:

3. Townhouse Heights: Policy 10.2.1.5 states that where there is a conflict between the policies in Volume 1 and the policies in Volume 2, the policies in Volume 2 shall prevail. As such, the policies in the Village of Maple Heritage Conservation District Plan 2007, Volume 3 apply to the extent of a conflict with Volume 1. Furthermore, it is our understanding that OPA 350, as amended by OPA 533 are not proposed to be carried forward in Volume 2 and will not apply to the subject property with the approval of the new Official Plan.

We support this approach to the policy framework concerning scale and massing of buildings, particularly concerning building height. It is our understanding that the provisions of the District Plan concerning building height would take precedent over the policies in Volume 1. This would then provide an opportunity for consideration of building heights greater than 3 storeys, where the façade height along Keele Street is 3 storeys.

This policy framework allows for an appropriate utilization of the site based on principles of intensification, while at the same time achieving the heritage scale and massing of the District Plan.

We thank you for the opportunity to provide these additional comments. For further information related to this submission please contact the undersigned or Mark Jacobs at extension 286.

Yours huly, Weston Consulting Group Inc.

Guetter, BES, MCIP, RPP

Associate

cc. John Zipay, City of Vaughan
Diana Birchall, City of Vaughan
Grant Uyeyama, City of Vaughan
Pino DiMascio, Urban Strategies
Emily Reisman, Urban Strategies
Mark Sokolowski, Oskar Group

Attachment 1 Part B: Summary of Respondents' Requests/Concerns and Staff Comments and Recommendations

Recommendation	No change is recommended.	1) No change is recommended. 2) No change is recommended.
Comment	The Kleinburg Core policies in OPA 601, as amended by OPA 633, are being carried forward into Volume 2 of the draft City of Vaughan Official Plan. These policies were subject to an extensive public consulfation process. Any changes to the land use designation should only be considered through a detailed land use review. No planning justification or other analysis was submitted to support the request.	1) The primary entrance into the unit should face onto a public street. This would promote a better streetscape image and provide "eyes" and activity on the public street. Accordingly the request is not supported. 2) Policy 9.2.3.2.e. states that the distance between blocks of Townhouses that are not separated by a public street shall be a minimum 18 metres in order to maximize daylight, enhance landscaping treatments and provide privacy for individual units. These are minimum standards that would ensure that developments provide a better quality of life for residents. However, Section 9.2.1.2 does permit flexibility to the effect that minor
ands.	Proponent requests a change in land use designations to properties designated "Low-Rise Residential" by OPA 601, as amended by OPA 633. Request that the lands be designated "Low-Rise Mixed-Use" consistent with the surrounding properties.	1) Policy 9.2.3.2d. states that townhouses shall front onto a public street. Townhouse blocks not fronting onto a public street are only permitted if the unit(s) flanking the street provide(s) a front yard and front door facing the public street. WCGI is of the opinion that this design treatment could be incorporated into the façade of the townhouse in order to address the public street without providing an actual front yard and front door face condition on the street. 2) WCGI does not wish to have prescribed distances in the Official Plan rather it should be assessed on a site specific basis.
Submission	DATE: June 14, 2010 RESPONDENT: Teresa Forbes Brian Forbes LOCATION: 24 Lester B. Pearson Street	DATE: June 14, 2010 RESPONDENT: Weston Consulting Group Inc. LOCATION: 10056 and 10068 Keele Street
ftem	143	<u>\$</u>

Attachment 1
Part B: Summary of Respondents' Requests/Concerns and Staff Comments and Recommendations

ndation		No change is recommended.
Recommendation		No change
Comment	variations will be permitted to the built form policies, provided that they are supported through an Urban Design brief to the satisfaction of the City.	Refer to Comment on Urban Boundary Expansion under Item 34. The City's Official Plan must implement the mandated targets assigned by the Province of Ontario through the Region of York. Given that the growth targets are mandated and the City has no ability to change the population and density targets, a fiscal analysis is not warranted. The urban boundary expansion being proposed is not significant in the context of the existing and potential development contemplated by the draft Official Plan. It is anticipated that the policies of the new Official Plan will maintain the existing residential to non-residential development mix and therefore, not result in a significant fiscal impact
[ssue		The letter objects to the proposed urban expansion areas for the following reasons: i) urban expansion area is not needed yet the Official Plan is being rushed into law; ii) an economic analysis has not been undertaken in support of the plan; iii) residential development is typically a negative cost to the city and property taxes don't cover infrastructure maintenance and services; iv) the Region of York Land Budget Report (January 2008) concludes that "boundary expansions will occur on white belt lands in Vaughan". An updated Land Budget Report in April
Submission		DATE: May 17, 2010 RESPONDENT: David Schenck LOCATION: Vaughan
4		-

Attachment 1 Part B: Summary of Respondents' Requests/Concerns and Staff Comments and Recommendations

Recommendation		No change is recommended.	No change is recommended.
Comment		The subject lands are located within the Maple Heritage Conservation District. The proposed densities and heights in the Official Plan are considered appropriate and are consistent with the remainder of the Village Core in this area.	See comment in Item No. 144B, above.
Issue		Supports the inclusion of the lands in the intensification area and the proposed Low-Rise Mixed-Use designation. However, it is suggested that the property warrants higher density permissions given that it is designated a Local Centre and is also designated as a Primary Intensification Corridor. They believe that a density of 1.5 FSI is appropriate for the site.	This letter refers to their submission of May 17, 2010 (Item No. 144B above) regarding 1559586 Ontario Inc. The respondent wants to verify that the letter was received and if there was a staff response for to their submission.
Submission	LOCATION: 1118 and 1136 Centre Street	DATE: May 17, 2010 RESPONDENT: Weston Consulting Group Inc. FOR: 1559586 Ontario Inc.	Meele Street DATE: July 28, 2010 RESPONDENT: Weston Consulting Group Inc. FOR: 1559586 Ontario
Item		144B	144C

Attachment 1 Part B: Summary of Respondents' Requests/Concerns and Staff Comments and Recommendations

Recommendation	1) That Schedule 1 be amended to show the lands within the regulated area as Natural Areas and Countryside and the lands outside of the regulated area as Employment Areas. That Schedule 2 be amended to show the lands within the regulated area as Core Features. That Schedule 13-P be amended to show the lands within the regulated area as Natural Areas and the lands outside of the regulated area as "Prestige Employment" and "General Employment". 2) That Recommendation 1 for Item 154 of the July 28, 2010 Special Committee of the Whole Report be deleted and replaced with the following: That Schedule 13 be amended to designate the lands located
Comment	1) The lands total land holdings are located between Highway 27 and the valley are subject to Registered Plan of Subdivision 65M-3966. The lands are zoned C2 (hydro corridor to Hwy # 27), EM1, EM2(H), EM2(H) and EM3 (valley land to hydro corridor) and A Agricultural Zone (west of valley land) by to site-specific Exception 9(1253). The lands west of the valley are currently identified as Deferral Area #5 in OPA No. 450, are zoned A Agricultural Zone and are located within the Highway 427. Transportation Corridor EA Route Alternatives. The lands are also subject lands are designated Infrastructure and Utilities in the draft Official Plan. The subject lands located generally south of Langstaff Road and west of Regional Road 27 appear to include part of a defined valley corridor as well as Regionally Significant woodlands. To the
Issue	1) This is a follow up letter to Item No. 154 of the July 28, 2010 Special Committee of the Whole Report. The respondent has requested that the lands located west of the valley (currently zoned A Agricultural Zone) be designated for industrial uses with no environmental features or need for TRCA fill approval. 2) Correction to July 28, 2010, Special Committee of the Whole Report Item 154 -1)
Submission LOCATION: 10056 and 10068 Keele Street	DATE: July 28, 2010 RESPONDENT: Cam Milani FOR: 611428 Ontario Limited LOCATION: Milani Blvd.
Item	154B

September 2610

December 15, 2010

Regional Municipality of York York Region Administration Building 17250 Yonge Street, 4th floor Newmarket, ON L3Y 6Z1

Attention:

Mr. Bryan Tuckey, MCIP, RPP

Commissioner of Planning and Development Services

Dear Sir:

Re:

City of Vaughan Official Plan

Our File 10-712

On behalf of our client, Suncor Energy Inc. (formerly Petro-Canada and Sunoco) we are submitting the following comments and materials in response to the Council-adopted City of Vaughan Official Plan. This letter outlines Suncor's concerns as they pertain to Suncor's twenty-three (23) sites located in the City of Vaughan.

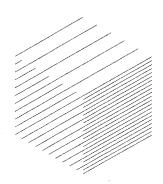
Through its membership in the Canadian Petroleum Products Institute ('CPPI'), submissions were made to the City of Vaughan regarding proposed policies pertaining to gas stations and ancillary uses (such as car washes and drivethrough facilities). Accordingly this submission and its enclosed materials should be read in conjunction with comments provided to the City of Vaughan's Clerk's Department by the Canadian Petroleum Products Institute June 7th, 2010 and July 27th, 2010.

However, in addition to these submissions, Suncor has a number of concerns regarding the City's proposed land use designations (and related policies) as they apply to properties that it operates within the municipality.

Inventory of Suncor Properties

The accompanying chart clarifies specific areas of concern for various sites referenced in this letter. We have organized the letter into the following topic areas:

- 1. Legal non-compliant status;
- 2. Suncor sites located in designations that do not permit gas stations;
- 3. Suncor sites located at intersections with more than one gas station;
- 4. Suncor sites located at the intersections of two arterial roads; and,
- 5. Suncor sites located in Intensification Areas where drive-through facilities are prohibited.



90 Eglinton Avenue East Suite 701 Toronto, Ontario M4P 2Y3

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admin@wndplan.com www.wndplan.com

Peter R. Walker, FCIP, RPP Wendy Nott, FCIP, RPP Robert A. Dragicevic, MCIP, RPP Senior Principals

Martha Coffey

Legal Non-compliant Status

A review of the Official Plan policies has determined that all but five (5) of Suncor's twenty-three (23) sites are proposed to be placed into a land use designation that does not permit gas stations or drive-through facilities, or other policies regulating the establishment of gas station facilities in the City of Vaughan. Based on our review:

- Nine (9) sites are located in designations that do not permit gas stations;
- Seven (7) are located on intersections where another gas station is located (which is proposed to be prohibited by Sections 9.2.2.4b, 9.2.2.6b., 9.2.2.7b., and 9.2.2.10b);
- Ten (10) are located at the intersection of two (2) arterial roads as shown on Schedule 9 of the Official Plan (which is proposed to be prohibited by Sections 9.2.2.4b, 9.2.2.6b, 9.2.2.7b, and 9.2.2.10b); and,
- Eight (8) are located in Intensification Areas that do not permit drivethrough facilities.

These sites are fully reviewed in the following sections of this letter. It should be noted that some Suncor sites would fall into more than one of the categories noted above.

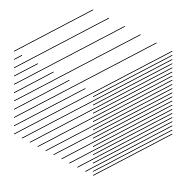
A report from the Committee of the Whole dated July 28, 2010 states that existing gas stations and drive-through facilities will be permitted to remain as 'legal non-compliant' under the new Official Plan. Many of the sites referenced in this letter have received planning approvals permitting the existing land uses reflecting significant investment in these properties. Suncor is concerned that this effort and investment will be jeopardized as a result rendering them legal non-compliant through the approval of the policies related to gas stations and drive-through facilities currently outlined in the Official Plan for the City of Vaughan.

Legal non-compliant status poses a significant burden to owners in terms of limitations placed on financing and replacement. Suncor requests that the Vaughan Official Plan reflect the planning approvals previously granted in regard to the sites in the enclosed chart.

Land Designations that do not permit Gas Stations

Our review of the City of Vaughan Official Plan determined that nine (9) sites are located in designations that do not permit gas stations. These sites are as follows:

- 11600 Keele Street (site 1)
- 1867 Major MacKenzie Drive (site 3)
- 2651 Rutherford Road (site 7)
- 1081 Rutherford Road (site 9)



- 8727 Dufferin Street (site 10)
- 120 Macintosh Boulevard (site 18)*
- 1487 Centre Street (site 19)*
- 7738 Yonge Stree (site 21)*
- 7400 Bathurst Street (site 23)*

The four (4) sites marked with an asterisk (*) were previously located in a land use designation that permitted gas stations. The sites located at 1867 Major MacKenzie Road, 1081 Rutherford Road, 8727 Dufferin Street, 120 Macintosh Boulevard were granted site specific zoning by-law amendments to permit gas stations, which are to remain in effect.

We request that these sites be accommodated in designations that permit automobile gas bars and their accessory uses such as car washes, convenience retail, and convenience eating establishments with drive-through facilities or alternatively, be recognized as permitted uses by site-specific policy exceptions.

Sites located at Intersections with more than one Gas Station

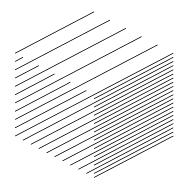
There are seven (7) sites that are located at intersections with other automobile gas bars, contrary to the policies of Sections 9.2.2.4b, 9.2.2.6b., 9.2.2.7b., and 9.2.2.10b governing land use in the Mid-Rise Mixed Use, High-Rise Mixed Use, Commercial Mixed Use and Prestige Employment Designations. Within the permitted uses for each designation appears the following policy concerning gas stations (emphasis added):

Gas stations, subject to the following criteria:

- A. The use is located on an arterial street as indicated on Schedule 9:
- B. The use is limited to one gas station per intersection; and,
- C. No gas stations shall be permitted at the intersection of two arterial streets as indicated on Schedule 9

The seven sites where gas station uses would not conform to the use as permitted in accordance with to the provisions of sub-section B are as follows:

- 8480 Highway 27 (site 5);
- 2651 Rutherford Road (site 7);
- 5241 Highway 7 (site 11);
- 5260 Highway 7 (site 12);
- 3733 Highway 7 (site 15);
- 1514 Steeles Avenue West (site 17); and,
- 7011 Bathurst Street (site 22)



As outlined in CPPI's submissions, such restrictions cause safety and traffic concerns at busy intersections where drivers have limited access into automobile gas bars due to turn restrictions to right-in/out movements. Therefore, stations located on opposite corners serve different traffic patterns.

We would propose that this policy restriction apply only to new gas station sites developed after the date of approval of the Vaughan Official Plan. This would eliminate the resultant impact on Suncor's existing properties where the proposed policy would render these locations as legal non-compliant under the new Vaughan Official Plan.

Sites located at the Intersection of Two Arterial Roads

There are ten (10) Petro-Canada stations located at the intersections of two (2) arterial roads contrary to the policies of Sections 9.2.2.4b, 9.2.2.6b., 9.2.2.7b., and 9.2.2.10b governing land use in the Mid-Rise Mixed Use, High-Rise Mixed Use, Commercial Mixed Use and Prestige Employment Designations. Within the permitted uses for each designation appears the following policy concerning gas stations (emphasis added):

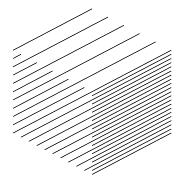
Gas stations, subject to the following criteria:

- A. The use is located on an arterial street as indicated on Schedule 9:
- B. The use is limited to one gas station per intersection;
- C. No gas stations shall be permitted at the intersection of two arterial streets as indicated on Schedule 9

The nine sites where gas station uses would not be permitted in accordance with the provisions of sub-section C are as follows:

- 11600 Keele Street (site 1);
- 9301 Highway 50 (site 4);
- 8480 Highway 27 (site 5);
- 3860 Weston Road (site 6);
- 3733 Highway 7 (site 15);
- 2200 Steeles Avenue West (site 16);
- 1514 Steeles Avenue West (site 17);
- 7738 Yonge Street (site 21); and,
- 7011 Bathurst Street (site 22)

In locating at the intersection of two arterial roads, these stations serve the needs of two travel patterns. As indicated in CPPI's submissions, this policy would necessitate gas stations on twice as many intersections in order to meet the needs of the public. Furthermore, locating gas stations at intersections with



only one arterial road increases the likelihood of locating adjacent to sensitive land use designations such as residential areas. There is no rationale provided by the City of Vaughan for this policy.

We would propose that this policy restriction apply only to new gas station sites developed after the date of approval of the Vaughan Official Plan. This would eliminate the resultant impact on Suncor's existing properties where the proposed policy would render these locations as legal non-compliant under the new Vaughan Official Plan.

Sites located in Intensification Areas

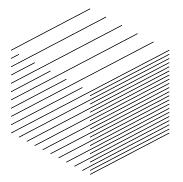
There are eight (8) Suncor sites with drive-through facilities located in Intensification Areas where Section 5.2.3.7 of the proposed Official Plan prohibits drive-through facilities. In regard to the locating of automobile gas bars in Intensification Areas the Vaughan Official Plan states:

5.2.3.7 Drive-throughs [sic] facilities are a complement to general retail activity and shall only be located such that the use does not adversely affect the goals of intensification, pedestrianization, attractive streetscapes, transit supportiveness, or have an adverse impact on residential neighbourhoods. In addition to and in recognition of Intensification Areas and Heritage Conservation Districts, which are already subject to a prohibition of drive-through facilities, it is intended that the prohibition shall also pertain to all Intensification Areas except Primary Intensification Corridors that are not Regional Corridors as identified on Schedule 1.

The sites located in areas where drive-through facilities are prohibited by the proposed designations in the Vaughan Official Plan are as follows:

- Major MacKenzie and Starling Boulevard (site 2);
- 5241 Highway 7 (site 11);
- 5260 Highway 7 (site 12);
- 1000 Rowntree Dairy Road (site 14);
- 3733 Highway 7 (site 15);
- 1487 Dufferin Street (site 19);
- 7092 Yonge Street (site 20); and,
- 7738 Yonge Street (site 21);

As outlined in CPPI's submission, drive-through facilities provide a number of benefits to urban areas including small building envelopes due to a reduced need for seating and reduced parking requirements. As a result, less space is devoted to paved areas thus creating a more visually appealing streetscape and contributes to the achievement of the goals outlined in the section above. We request a review of this policy for which there is no rationale provided and



suggest policies promoting the innovative design and construction of drivethrough facilities that continue to promote and support the goals outlined above.

We suggest that this policy apply only to new gas station applications that include drive through facilities. We would also suggest that the addition of drive through facilities on sites that have uses where the addition of a drive through would be appropriate, such as gas stations be permitted to add a drive through at a later date.

Additional Information

In support of this submission, please find enclosed one copy of our Vaughan Official Plan review spreadsheet. We trust this information provided is sufficient to allow for your review of the proposed Vaughan Official Plan and its potential impacts as it relates to Suncor's sites throughout the City.

We would welcome the opportunity to meet with Regional staff to discuss our concerns and comments contained in this letter.

Should you have any questions or require additional information please do not hesitate to contact the undersigned.

Yours very truly,

WALKER, NOTT, DRAGICEVIC ASSOCIATES LIMITED

Planning · Urban Design

Wendy Nott, FCIP, RPP Senior Principal

Enc.

cc. Vincent Serratore, Suncor Energy Products Inc. Paul Park, Suncor Energy Products Inc.

Station Information Existing Of						Existing Official Plan	ng Official Plan					Proposed Vaughan Official Plan Vaughan Zoning										
Site	Address	Map Existing use on site - as seen on Google				ale	Existing Designation	Permitted Use	es			Proposed Designation	Permitted U	ses			In Intensification	2 arterial road	More than 1 station at		ses	
Number		Reference (schedule 13														Corridor?	intersection	intersection				
		A-T)	Gas Station	C. Store	Car Wash	h Drive Through		Gas Station	C. Store	Car Wash	Drive Through		Gas Station	C. Store	Car Wash	Drive Through				Gas Station	C. Store Car Wa	ash Drive Through
1	11600 Keele/Kirby (NW)	D	Y	Y	Y	Y - Tim Horton's	Rural Area General, Special Policy Area (OPA 600)	Y - site specific amendment in OPA 600		Y	Y	Agricultural	N	N	N	N	No	Yes	No	Highway Commercial Y Zone (C6)	Y	Y
2	Major Mackenzie/Starling (NW)	I	N	N	N	N	Vellore Village Centre	Υ	Y	Unspecified	N	Mid-Rise Mixed Use	Υ	Y	Υ	N	Yes - Local Centre	No	No	Community N Commercial (C5(H))	Y N	Y
3	1867 Major Mackenzie/Peter Rupert (SW corner)	J	N	N	N	N	Medium density residential/commercial (OPA 600 (Carrville/Patterson Urban Village 2 - Schedule C)		Y	Unspecified	N	Low-Rise Mixed Use	N	Y	N	N	Yes - but not regiona	al No	No	Local Commercial Y (C3-H)	Y	Y
4	9301 Hwy 50/Rutherford (SE)	К	Y	Y	N	N	Rural Area General (OPA 600) - recognized as employment under York Region OPA 19, not yet incorporated into OPA 450	N	N	Unspecified	N	Commercial Mixed Use	N	Y	N	Y	No	Yes	No	Service Commercial Y Zone (C7)	Y	Y
5	8480 Hwy 27/Langstaff (SW)	L/P	Y	Y	Y	N	Employment Areas (OPA 600) - Industrial Area (Prestige area) -	Defers to zonii	ng by-law			Commercial Mixed Use	N	Y	N	Υ	No	Yes	Yes - Esso on NE corner	Service Commercial Y Zone (C7)	Y	Y
6	3860 Weston/Langstaff (NE)	М	Y	Y	Y	N	OPA 450 Prestige Area (OPA 450)	Defers to zonii	ng by-law			Prestige Employment	N	Y	N	Y	No	Yes	No	Service Commercial Y Zone (C7)	Y	Y
7	2651 Rutherford/Creditstone (SW)	N	Y	Y	Y	N	Prestige Area (OPA 450)	Defers to zonii	ng by-law			Low-Rise Mixed Use	N	Y	N	Y	Yes - but not regiona	al No	Yes - Shell on NE corne	r Service Commercial Y Zone (C7)	Y	Y
8	9070 Jane/Riverock (NW)	N	Y	Y	Y	N	Vaughan Centre (OPA 600); Prestige Area (OPA 450)	Y	Y	Unspecified	N	High-Rise Mixed Use	Υ	Υ	Υ	Υ	No	No	No	Restricted Y Commercial (C1-H)	Y	Y
9	1081 Rutherford/Thornhill Woods (SE)	0	Y	Y	Y	N	Medium Density Residential Commercial (OPA 600) (Carrville/Patterson Urban Village 2 - Schedule C)	Y	Y	Unspecified	N	Low-Rise Mixed Use	N	Y	N	Y	Yes - but not regiona	al No	No	Local Commercial Y (C3)	Y	Y
10	8727 Dufferin/Summeridge (SE)	0	Y	Y	Y	N	Medium Density Residential Commercial (OPA 600) (Carrville/Patterson Urban Village 2 - Schedule C)	Y	Y	Unspecified	N	Low-Rise Mixed Use	N	Y	N	Υ	No	No	No	Neighbourhood Commercial Zone (C4)	Y	Y
11	5241 Hwy 7/Kipling (SE)	Р	Y	Y	N	N	Service Station (OPA 240)	Y	Y	Unspecified	N	Mid-Rise Mixed Use	N	Y	N	N	Yes - regional	No	Yes - Petro Can on NW corner	Highway Commercial Y Zone (C6)	N N	N
12	5260 Hwy 7/Kipling (NW)	Р	Y	Y	N	N	Service Station (OPA 240)	Υ	Y	Unspecified	N	Mid-Rise Mixed Use	N	Υ	N	N	Yes - regional	No	Yes - Petro Can on SE corner	Highway Commercial Y Zone (C6)	Y	Y
13	Hwy 27/Innovation Dr (SW)	Р	Υ	Υ	Υ	N	Neighbourhood Commercial Centre (OPA 345)	N	Υ	Unspecified	N	Commercial Mixed Use	Υ	Υ	Υ	Υ	No	No	No	Service Commercial Y Zone (C7)	Y	Y
14	1000 Rowntree Dairy Rd/Hwy 7	Q	Y	N	Y	N	Highway 7 Commercial Corridor (OPA 345)	N	Y	Unspecified	N	Mid-Rise Mixed Use	Y	Y	Y	N	Yes - regional	No	No	Service Commercial N Zone (C7)	N N	N
15	3733 Hwy 7/Weston Rd (SE)	R	Y	Y	Y	Y	Corporate Centre District (OPA 500)	N	Y	Unspecified	N	High-Rise Mixed Use	N	Y	N	N	Yes - regional	Yes	Yes - Esso on NW corner	Highway Commercial Y Zone (C6)	Y	Y
16	2200 Steeles/Keele (NE)	S	Y	N	N	N	Prestige Area (OPA 450)	Defers to zonii	ng by-law			Commercial Mixed Use	N	Y	N	Υ	Yes - but not regiona	Yes	No	Restricted N Commercial Zone (C1)	Y N	Y
17	1514 Steeles/Dufferin (NW)	S	Y	Υ	N	N	Prestige Area (OPA 450)	Defers to zonii	ng by-law			Commercial Mixed Use	N	Y	N	Υ	Yes - but not regiona	el Yes	Yes - Esso on SW corner	Highway Commercial Y Zone (C6)	Y	Y
18	120 Macintosh Blvd/Creditstone (NW)	S	Y	N	N	N	Employment Area General (OPA 450)	Defers to zonii	ng by-law			General Employment	N	N	N	N	No	No	No	General Employment Y Area Zone (EM2)	N N	N
19	1487 Centre/Dufferin (SE)	Т	Y	Y	N	N	Service Station (OPA 210)	Y	Y	Unspecified	N	Low Rise Residential	N	Y	N	N	Yes - regional	Yes	No - but NE corner designated for service station	Highway Commercial Y Zone (C6)	Y	Y
20	7092 Yonge/Crestwood (SW)	Т	Y	Y	N	N	Service Station (OPA 210)	Y	Y	Unspecified	N	High-Rise Mixed Use	Y	Y	Υ	N	Yes - regional	No	No	Highway Commercial Y Zone (C6)	Y	Y
21	7738 Yonge/Centre (SW)	Т	Y	N	N	N	Service Station (OPA 210)	Y	Y	Unspecified	N	Low-Rise Mixed Use	N	Y	N	N	Yes - regional	Yes	No	Highway Commercial Y Zone (C6)	Y	N
22	7011 Bathurst/Steeles (NE)	Т	Y	Υ	Y	Y	Service Station (OPA 210)	Y	Y	Unspecified	N	Mid-Rise Mixed Use	N	Y	N	Υ	Yes - but not regiona	l Yes	Yes - Esso on SE corne	r Highway Commercial Y Zone (C6)	Y	Y

Vaughan Official Plan Review Suncor Sites

December 13, 2010

22	7400 Dethurst/Olests (CM)	 lv.	W	N.I.	N	Service Station (OPA 210)	lv.	lv.	Unspecified	N1	Low-Rise Mixed Lise	T _N 1	V	T _{K1}	V	No	No	la -	Highway Commercial	V N	IN1	INI I
23	7400 Bathurst/Clark (SVV)	 T T	T	IN	IN	Service Station (OPA 210)	ī	T T	Unspecified	IN	Low-Rise Mixed Use	IN	T	IN	ī	NO	INO	NO	riigiiway Commercial	T IN	IN	IN
																			Zone (C6)			

Joseph & Teresa Marando

9 Dorian Place Thornhill, Ontario L4J 2M3

Telephone 905 886 0359

Monday, November 22, 2010

York Region 17250 Yonge Street, 4th Floor Newmarket, Ontario L3Y 6Z1

Attention:

Augustine Ko, M.C.I.P., R.P.P.

Official Plans and Official Plan Amendments

Community Planning Department

Re:

Vaughan Official Plan Volumes 1 & 2: and

Yonge Steeles Corridor Secondary Plan (Vaughan File number YS - 25.2.12.4)

Dear Augustine,

I would like to take this opportunity to introduce myself, I am writing on behalf of my parents, Joseph and Teresa Marando, residents of 9 Dorian Place, Thornhill Ontario. They would like to advise that they have attended all of the community planning sessions and public meetings held throughout the last few years in relation to the proposed new official plan for the City of Vaughan, Volumes 1 & 2.

The issue, which they have, is that despite attending all of the meetings and constantly assured that Dorian Place would be designated as having commercial development potential; this modification was left to be dealt with at this stage of the program. We are writing to draw attention to this matter and ensure that it does not go unattended.

This correspondence is in relation to the decision adopted by Council of the City of Vaughan at the September 7 2010 meeting of the Special Committee of the Whole where by council adopted as follows:

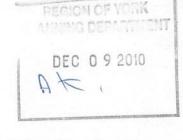
"By approving the following:

- 1. That staff be instructed to conduct a study of Dorian Place in relation to the issues raised by certain residents of that street regarding its designation under the Official Plan; and
- That any changes to the current designation determined by that study be dealt with through modifications at the York Region stage of review of this plan;" (reference to extract from council meeting minutes of September 7, 2010)

In addition, for your records, are copies of previous correspondence to various staff and elected officials in the City of Vaughan.

We request to be notified of any public meetings and community sessions in relation to the Vaughan Official plan and any decisions in relation there to, we can be contacted as indicated below.

Further, we also wish to enquire as to the status of the above study and the proposed timelines for its completion as well as the date for the regional meetings at which time the draft official plan will be considered for adoption. We wish to confirm that we will attend the information sessions and meetings that may be held in relation to the above.



Respectfully,



B. arch, OAA, mraic.

49 El Dorado Street, Richmond Hill, Ontario, L4C 0G8

mobile: 647 502 9540 home: 905 770 7312 Joseph Marando

9 Dorian Place Thornhill, Ontario L4C 0G8

home: 905 886 0359

E. Maromon

Teresa Marando

9 Dorian Place Thornhill, Ontario L4C 0G8

home: 905 886 0359

York Regional Council

Aurora Mayor

East Gwillimbury Mayor

Georgina Mayor

Georgina Regional Councillor

King Mayor

Markham Mayor

Markham Regional Councillor

Markham Regional Councillor

Markham Regional Councillor

Markham Regional Councillor

Newmarket Mayor

Newmarket Regional Councillor

Richmond Hill Mayor

Richmond Hill Regional Councillor

Richmond Hill Regional Councillor

Vaughan Mayor

Vaughan Regional Councillor

Vaughan Regional Councillor

Vaughan Regional Councillor

Whitchurch-Stouffville Mayor

Geoff Dawe

Virginia Hackson

Robert Grossi

Danny Wheeler

Steve Pellegrini

Frank Scarpitti

1-111

Jack Heath

Jim Jones

Gordon Landon

Joe Li

Tony van Bynen

John Taylor

Dave Barrow

Vito Spatafora

Brenda Hogg

Maurizio Bevilacqua

Gino Rosati

Michael Di Biase

Deb Schulte

Wayne Emmerson

Vaughan City Council

Mayor

Local And Regional Councillor Local And Regional Councillor

Local And Regional Councillor

Local Councillor Ward 1 Local Councillor Ward 2

Local Councillor Ward 3

Local Councillor Ward 4 Local Councillor Ward 5 Maurizio Bevilacqua

Gino Rosati

Michael Di Biase

Deb Schulte

Marilyn lafrate

Tony Carella

Rosanna Defrancesca

Sandra Yeung Racco

Alan Shefman

York Region

Community Planning Official Plans and Official Plan Amendments Vaughan, Richmond Hill, & Markham

Heather Konefat

Director, Community Planning

Duncan MacAskill Susan Dempsey Senior Planner, Vaughan, Richmond Hill & Markham

Administrative Assistant

City of Vaughan

Official Plan Review Committee Staff

Clayton D. Harris Jeffrey A. Abrams

John Zipay Diana Birchall Mauro Peverini Roy McQuillin Ted Hallas

Clement Chong Adelina Bellisario City Manager City Clerk

Commissioner of Planning Director of Policy Planning Manager of Policy Planning Manager of Corporate Policy

Manager of Corporate Communication

Planner

Assistant City Clerk

Joseph & Teresa Marando

9 Dorian Place Thornhill, Ontario L4J 2M3

Telephone 905 886 0359

Sunday, July 25, 2010

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

Attention: Jeffrey A. Abrams, Clerk's Department

Re: Yonge Steeles Corridor Secondary Plan (File # YS - 25.2.12.4)

Dear Jeffrey.

CC:

Further to our previous representations and correspondences, attached please find copies of correspondence together with signed petitions from the residents of Dorian Place.

Diana Birchall requested, in her correspondence dated May 26 2010, that we speak again with residents of Dorian Place and canvas opinion with respect to including Dorian Place designated as having commercial development potential.

We have acted on that request and the attached petition reaffirms the desire of the undersigned to have Dorian Place designated as having commercial re-development potential in the proposed Official Plan for the City of Vaughan Secondary Plan Volume 2 and more specifically in relation to the Yonge Steeles Corridor Secondary Plan.

Further, we would like to have notice of any upcoming meetings at which the above mater is to be discussed, or considered, and to be provided copies of reports made to, or arising from, any upcoming meeting(s).

Respectfully, and on behalf of the undersigned residents of Dorian Place,

Members of Council, Official Plan Review Committee and Staff

Councillor Peter Meffe, Chairman	Clayton D. Harris, City Manager					
Mayor Linda D. Jackson (ex-officio)	John Zipay, Commissioner of Planning					
Regional Councillor Mario Ferri	Diana Birchall, Director of Policy Planning					
Regional Councillor Joyce Frustaglio	Mauro Peverini Manager of Policy Planning (Acting)					
Regional Councillor Gino Rosati	Roy McQuillin, Manager of Corporate Policy					
Councillor Tony Carella	Ted Hallas, Manager of Corporate Communication					
Councillor Alan Shefman	Paul Robinson, Senior Planner/Policy					
Councillor Bernie DiVona	Clement Chong, Planner					
Councillor Sandra Yeung Racco	Adelina Bellisario, Assistant City Clerk					

Joseph & Teresa Marando

9 Dorian Place Thornhill, Ontario L4J 2M3

Telephone 905 886 0359

Sunday, July 11, 2010

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

Attention: Jeffrey A. Abrams, Clerk's Department

Re: Yonge Steeles Corridor Secondary Plan (File # YS – 25.2.12.4)

Dear Jeffrey,

We the undersigned residents of Dorian Pace wish to advise that we would like to have Dorian Place designated as having commercial re-development potential in the proposed Official Plan for the City of Vaughan Secondary Plan Volume 2 and more specifically in relation to the Yonge Steeles Corridor Secondary Plan.

Further, we would like to have notice of any upcoming meetings at which the above mater is to be discussed or considered, and to be provided copies of reports made to, or arising from, any upcoming meeting(s).

Respectfully the undersigned,

Address	Phone Number	Signature of Owner	Signature of Owner
9 Dorian Place	(905) 886 0359	1. Marando	6. Movioundo
Thornhill Ontario		Joseph Marando	Teresa Marando
L4J 2M3		Print Name	Print Name

Address	Phone Number	Signature of Owner	Signature of Owner
23 Dorian Place	905-771-6391	Cuty Addison	
Thornhill Ontario		Cathy Addison	
L4J 2M3		Print Name	Print Name

Address	Phone Number	Signature of Owner	Signature of Owner		
18 Dorian Place	905-597-2614	Com			
Thornhill Ontario		Paul Kun			
L4J 2M3		Print Name	Print Name		
Address	Phone Number	Signature of Owner	Signature of Owner		
12 Dorian Place	9914428	P Benhil			
Thornhill Ontario		P. BENKIEL			
L4J 2M3		Print Name	Print Name		
Address	Phone Number	Signature of Owner	Signature of Owner		
34 Dorian Place	9.05 886-2053	MAKBOTT			
Thornhill Ontario		Mahvash Akbari			
L4J 2M3		Print Name	Print Name		
Address	Phone Number	Signature of Owner	Signature of Owner		
3/ Dorian Place	905 839 -3071	Revision)			
Thornhill Ontario	30 /	RON DILSON			
L4J 2M3		Print Name	Print Name		
Address	Phone Number	Signature of Owner	Signature of Owner		
5 Dorian Place	905763-9132	Dani Will .	Silve Self		
Thornhill Ontario		David Luntell	KATTY LUNDELL		
L4J 2M3		Print Name	Print Name		

.

Councillor Alan Shefman Paul Robinson, Senior Policy Planner 2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1

Dear Councillor Shefman and Mr. Robinson,

Further to our discussion after the presentation of the Yonge Street Secondary Plan on April 12, 2010 we are forwarding our input for inclusion in the plan. We submit that all of the homes on Dorian Place in Thornhill that back onto Yonge Street be designated as having commercial redevelopment potential. The owners of the six of the homes along this stretch, with the exception of Yangrok Oh who is currently out of town, have signed below.

We believe that the option for redevelopment be available for these properties for several reasons. It would be consistent with the development model along both sides of Yonge Street and provide some balance the proposed development on the Markham side of Yonge. If rapid transit were developed, and especially a subway, it would make our homes uninhabitable with trains running right under our houses. While other homes in the neighbourhood would appreciate in value due to proximity to the subway we believe that the value of our properties as single family homes would be diminished due to shaking and noise. Surface rapid transit would pose similar issues. As Yonge Street becomes busier, louder, and more intense we do not feel it fair that our homes be mandated to remain as is, functioning as a "buffer" for the rest of the community.

While none of us currently has plans to redevelop, we would like to have the option to do so in the future if conditions warrant it in light of the highest and best use of the properties. This also supports the concept of intensification on Yonge and supports the development of a subway. Additionally, the fact that most of our homes are sandwiched between Yonge Street and Dorian Place means that the impact on nearby homes would be less than if we had neighbours directly behind us. Please feel free to contact any of us regarding this issue and we look forward to a positive outcome.

Best regards,

David & Katty Lundell

5 Dorian Place, Thornhill

905-763-9132

Cathy Addison & Cam North

23 Dorian Place, Thornhill

905-771-6391

15 Dorian Place, Thornhill Mariam Zongholi

heen

416-801-1102

Joe & Teresa Marando 9 Dorian Place, Thornhill

905-886-0359

Kyoo Sung Choi & Sun Deuk Kim

27 Dorian Place, Thornhill 905-709-6443

Presently out of town

19 Dorian Place, Thornhill Yangrok Oh & Youngsook Xoon

905-731-8354 y. s. yook

Joseph & Teresa Marando

9 Dorian Place Thornhill, Ontario L4C 0G8

Telephone 905 886 0359

Sunday, June 27, 2010

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

Attention: Jeffrey A. Abrams, Clerk's Department

Re: Yonge Steeles Corridor Secondary Plan (File # YS - 25.2.12.4)

Dear Jeffrey,

We wish to confirm that Mr. Joseph Marando, Mrs. Teresa Marando and myself were in attendance at the June 14, 2010 public meeting and that I made a deputation, on behalf of Joseph and Teresa Marando, in relation to the proposed new City of Vaughan Secondary Plan Volume 2 and more specifically in relation to the Yonge Steeles Corridor Secondary Plan.

We wish to confirm that we would like notification of the adoption of the Secondary Plans and as such we are providing this notice in accordance with information contained in the public notice letter titled;

"City of Vaughan Notice of Statutory Public Meeting (Hearing) for the Vaughan Official Plan Secondary Plans and New Official Plan Policies for Existing Secondary Plans."

Also enclosed please find correspondence dated April 13, 2010 from Dorian Place residents and a response from Diana Birchall, Dated May 26 2010 in response to the residents correspondence; copies of both letters are attached.

I would like to address an item which is not accurate in the response; the item which I would like to point out is the statement on the part of the city:

"As you are aware, the Yonge Street Area Study in now in its final stages with a draft secondary plan which was made public on May 25, 2010. The Study has included a significant amount of public consultation. Until your request, there had been no suggestion the properties on Dorian Place should be planned for redevelopment ... it would not be appropriate for the draft secondary plan to reflect your request at this time."

We wish to confirm that Mr. and Mrs. Marando were at all previous public information sessions and that at the April 12, 2010 session Mrs. Teresa Marando spoke in relation to the fact that the properties on Dorian Place had been omitted in terms of re-development consideration. The plan presenters assured her with City of Vaughan elected officials present

"that this was an over sight, it would be corrected and not to worry. In the final materials the Dorian Place lands will be mixed use and mid-rise re-development lands."

You can imagine the residents surprise when the notice and materials for the next public hearing came out and there appeared to be no acknowledgement that residents not only made deputations, but that the individuals representing the municipality had been in agreement with the concerns raised by the residents

at the previous public information sessions.

All of the above aside, we wish to provide our comments and concerns in relation to the Yonge Steeles Corridor Secondary Plan.

The vision that Vaughan has espoused is forward looking and the comments contained in the document itself give a clear vision of what the city is expecting to see over the next 20 years:

"The policies of this Plan have been designed to address either the introduction of Bus Rapid Transit Service along Yonge Street or the extension of the Yonge subway to Highway 407"

We get even more insight when we look to the Vision and Principles section of the proposed Secondary

"2.0 Visions and Principles:

The overall development concept for the secondary plan Area is premised on:

- Promoting well designed intensification to maximize the use of existing and planned infrastructure including transit and servicing; ...
- Providing a wide range of housing choice for a diverse population; ...
- Encouraging a mix of uses including employment and housing within walking distance of each other;"

The city's intentions are further elaborated in the section:

"The North Area extends along Yonge Street from the northern edge of the Thornhill Golf and Country Club to south of Highway 407

.... The strip of land from just south of Thornhill Avenue to the utility corridor south of Highway 407 will be designated Mid-Rise Mixed Use with a maximum height of eight storeys and transition policies for development immediately adjacent to existing low-rise neighbourhoods including adherence to a 45 degree angular plane."



Built Form

Street Wall

Yonge Street South

- · Street oriented commercial/retail at grade
- Street wall height: 6-8 storevs

- 3m estback from property line
 4m step-back from the 6th storey
 4.5m step back of the penthouse
 10m tall building set back from property line

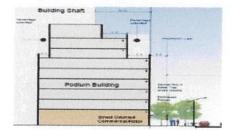
Steeles Avenue West

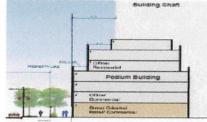
- Street oriented commercial/retail at grade
 Street wall height: 4-6 storeys
 4m sebback from the property line
 2.5m step back from the 4th storey

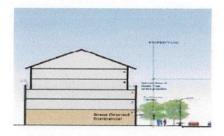
- 4.0m step back of the penthouse
 7.5m tall building set back from property line

Yonge Street North

- Street oriented commercial/retail at
- Street wall height: 3-5 storeys
- 3m setback from the property line
 1.5m step back from the 3rd store







Specifically,

on the slide below Vaughan has identified what it wants to see in the North Study Area!

Yonge Street Study

Waughan Trent

Urban Design Guidelines

North Study Area

- A vision of overall 1.5~ 2.0 FSI mixed use with a more residential focus.
- Approximately 380 new residential units and 800 new jobs will be provided at the maximum density.
- Existing heritage buildings are reserved with streetscape enhancement.
- Maximum building height will be 8 storeys along Yonge Street.
- 45 degree angular planes define transition controls from existing low density residential to the mixed use development along Yonge Street.
- Street Wall height along Yonge Street: min. 3 storeys and max. 5 storeys.
- Street Wall set back from property line: 3m on Yonge Street
- Generally, underground parking is required.

Appendices

And what about Markham, what are their plans for the area?

Markham if anything, is even more forward thinking and has adopted a comprehensive and progressive plan that not only takes into consideration the cultural heritage of Yonge street today, but gives a clear focused and directed view of what the area bounded by Langstaff to the north, Yonge Street to the west, Bayview Avenue to the east and Holy Cross Cemetery to the south is to become through their planning and directed guidance.

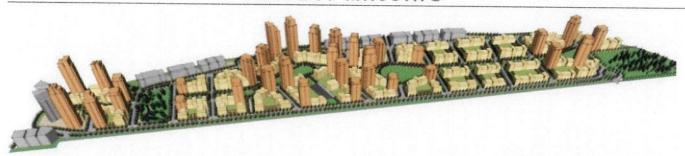
"The Langstaff area is now part of the Richmond Hill/Langstaff Gateway Urban Growth Centre, as identified by the Province in the Growth Plan for the Greater Golden Horseshoe (2006). As well, Langstaff is identified as a Regional Centre in the Region of York's Official Plan."

Langstaff Gateway Urban Growth Centre

The images below are taken from Markham's master plan for the Langstaff Gateway Urban Growth Centre.

This site is directly opposite the Dorian Place residences that back onto Yonge Street and are part of the City of Vaughan Yonge Street Corridor North Area Secondary Plan.

PROJECT MASSING



Sustainability mandates that significant densities and a mix of uses, residential, office, and retail, be introduced to the Langstaff Site near to major public transportation nodes to maximize transit-oriented efficiency. High-rise buildings are certainly one of the construction types that will help the site achieve this goal. But how to accommodate development without letting the site become a forest of towers? The Langstaff Site establishes three clusters of density—at the major East and West Transit Nodes—as well as a lesser cluster at the very east end.

Connecting these areas of concentration is a diverse urban fabric of mixed-use urban buildings that range in height from three to ten stories. The central open space spine and its flanking couplet transitonly streets is a unifying, Parisian-scaled streetscape that ties the east and west sides of the project together. Buildings that face the Linear Park are uniformly 6 to 10 stories in height, although building mass over eight stories is set back from the street so it is barely visible from the ground below (views of what these streetscapes may look like are shown below).







Markham's Vision

The image below is a view of the Langstaff Gateway Urban Growth Centre looking towards the City of Vaughan Yonge Street Corridor North Area Secondary Plan lands

PROJECT MASSING



WEST TRANSIT NODE

The development cluster at the West Transit Node (model views shown at left and below) is directly adjacent to the planned Langstaff (Longbridge) Subway station and park'n'ride facility on Yonge Street. The tall, slender towers proposed for this location will serve as a dramatic gateway to Markham, and as a regional marker for the future regional transit crossroads created by the nexus of the GO Commuter Line, the 407 Transitway, and the Yonge Street Subway line. Towers are set back from the Transit Green as much as possible to give this space a more human and intimate scale.



MASTER PLAN

5 9

Vaughan's Answer!

The image below is a view of the left over residents of Dorian Place which are Vaughan's answer to Markham's Vision and the West Transit Node.



Given all of the facts outlined above, we feel it is incumbent on the City of Vaughan staff and elected officials to fully review the facts, the built environment and to do what is right. Clearly, the future of Yonge Street, the York Region Rapid Bus Transit Service, and the Yonge Subway extension are an integral and essential component of the planning process, and must be addressed head on as part of the Vaughan 2031 plan. The residents of Dorian Place cannot and should not be ignored as part of this planning process.

If Vaughan 2031 is to have real meaning, then its legacy cannot be the forgotten residents of Dorian Place.

We ask that appropriate consideration be given to the above and that Dorian Place be included in any redevelopment consideration in the proposed Official Plan for the City of Vaughan Secondary Plan Volume 2 and more specifically in relation to the Yonge Steeles Corridor Secondary.

Joseph Marando

Thornhill, Ontario L4C 0G8

9 Dorian Place

E. Marando

Teresa Marando

Thornhill, Ontario L4C 0G8

9 Dorian Place

Respectfully,

Carmine Marando B. arch, OAA, mraic.

49 El Dorado Street, Richmond Hill, Ontario L4C 0G8

mobile: 647 502 9540 home: 905 770 7312

CC:

Official Plan Review Committee: Members:

Councillor Peter Meffe, Chair Mayor Linda D. Jackson (ex-officio) Regional Councillor Joyce Frustaglio Councillor Tony Carella Councillor Alan Shefman

Staff:

Clayton D. Harris, City Manager
John Zipay, Commissioner of Planning
Diana Birchall, Director of Policy Planning
Mauro Peverini Manager of Policy Planning (Acting)
Roy McQuillin, Manager of Corporate Policy
Ted Hallas, Manager of Corporate Communication
Paul Robinson, Senior Planner/Policy
Clement Chong, Planner
Adelina Bellisario, Assistant City Clerk

Att: Yonge street corridor aerial view

Dorian Place Thornhill, ON L4J 2M3

May 20, 2010

Jeffrey Abrams Clerk's Department City of Vaughan 2141 Major Mackenzie Drive Vaughan, ON

Dear Mr. Abrams,

We are submitting to you, regarding file number OP.25.1, a copy of a letter outlining our comments regarding Vaughan's New Official Plan. The letter was faxed to Councillor Shefman and Mr. Robinson (Senior Policy Planner) on April 22, 2010. The letter essentially outlines our desire to have the homes on Dorian Place that back on to Yonge Street identified in the Plan as having a designation to allow possible rezoning and development in the future. We believe that this designation and possible development along Yonge supports good planning, is consistent with the creation of intensification corridors, would complement development on the Markham side of Yonge Street, and supports transit development.

This letter is also consistent with the remarks that were made by Teresa Marando at the Statutory Public Meeting in Council Chambers on Monday May 17, 2010.

Please also accept this letter as a request by the owners of the six homes involved to receive notice of the adoption of the Official Plan (OP.25.1).

Certain Residents of Dorian Place



The City Above Toronto

May 26, 2010

Lundell David Lundell Katty 5 Dorian Pl Thornhill, ON L4J 2M3

Dear Residents of Dorian Place,

Re: Designation of Dorian Place Properties backing onto Yonge Street Related File #25.5.12.4 (Yonge Street Secondary Plan)

Thank you for your letter to Paul Robinson and Councillor Alan Shefman dated April 13, 2010 in which you express your interest in having the properties on Dorian Place backing onto Yonge Street designated to permit redevelopment.

The City of Vaughan 2141 Major Mackenzie Drive

Policy Planning Department

Vaughan, Ontario Canada L6A 1T1

Tel (905) 832-8585 Fax (905) 832-8545

As you are aware, the Yonge Street Area Study is now in its final stages with a draft secondary plan which was made public on May 25, 2010. The Study has included a significant amount of public consultation. Until your request, there had been no suggestion that the properties on Dorian Place should be planned for redevelopment. Given that this would entail a change to the character of your community and would affect others with an interest in it, it would not be appropriate for the draft secondary plan to reflect your request, at this time.

Instead, I would suggest that you make a submission to the scheduled June 14, 2010 public hearing, outlining your request for Council's consideration (please see attached notice for details). City staff can then follow-up with your community to arrange a meeting(s) and explore the possibilities for the area. Should we arrive at an alternative solution acceptable to residents we can amend the plan to reflect that. You may also wish to consult with other residents of Dorian Place (e.g. those living on the west side of the street) and others living nearby to discern their views.

Thank you for taking the time to share your thoughts with us. If you have any questions please call me at 905-832-8581 x. 8411.

Yours sincerely,

Diana Birchall

Director of Policy Planning

City of Vaughan

2141 Major Mackenzie Drive

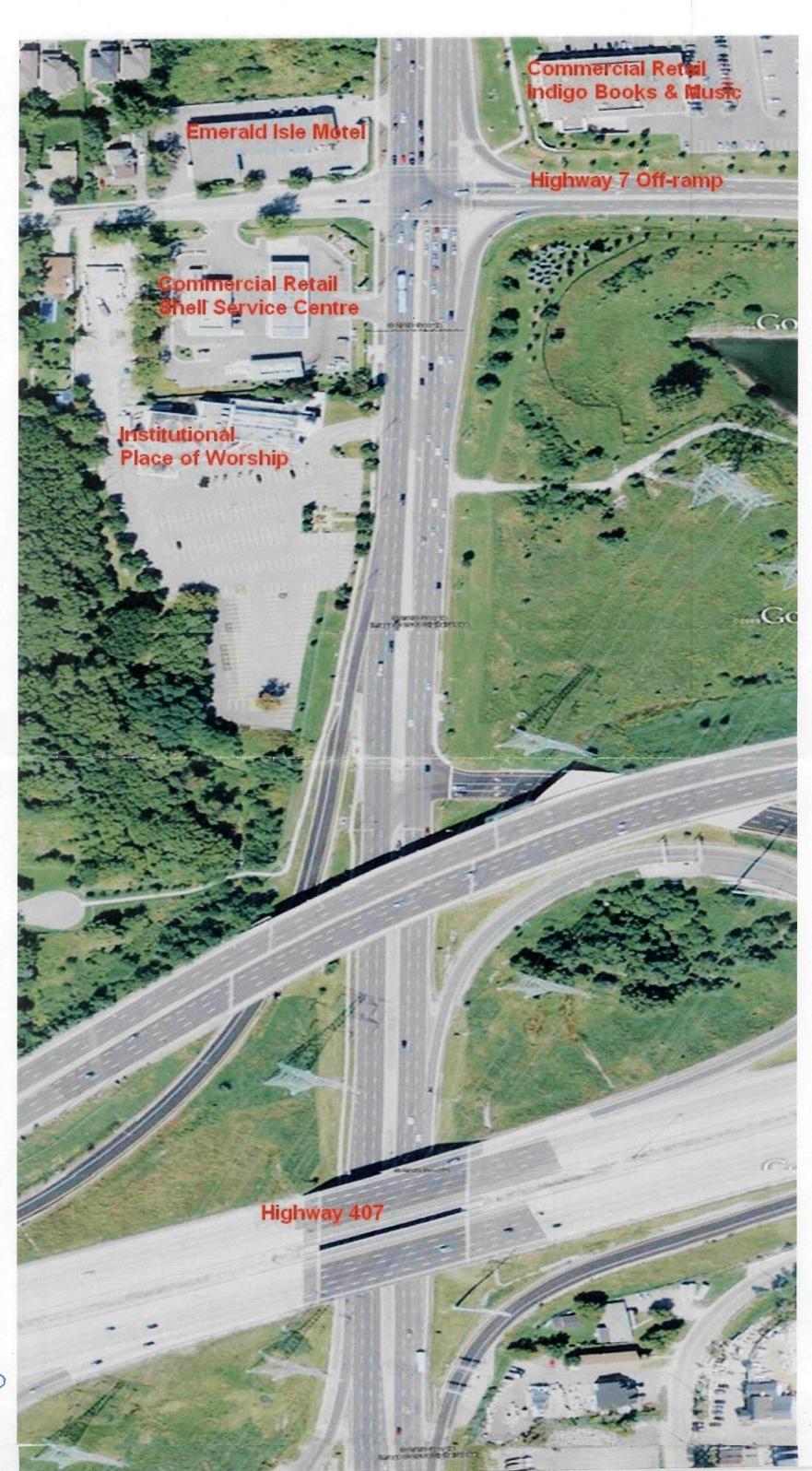
Vaughan ON L6A 1T1

Bus: 905 832-8585 x. 8411

Fax: 905 832-8545

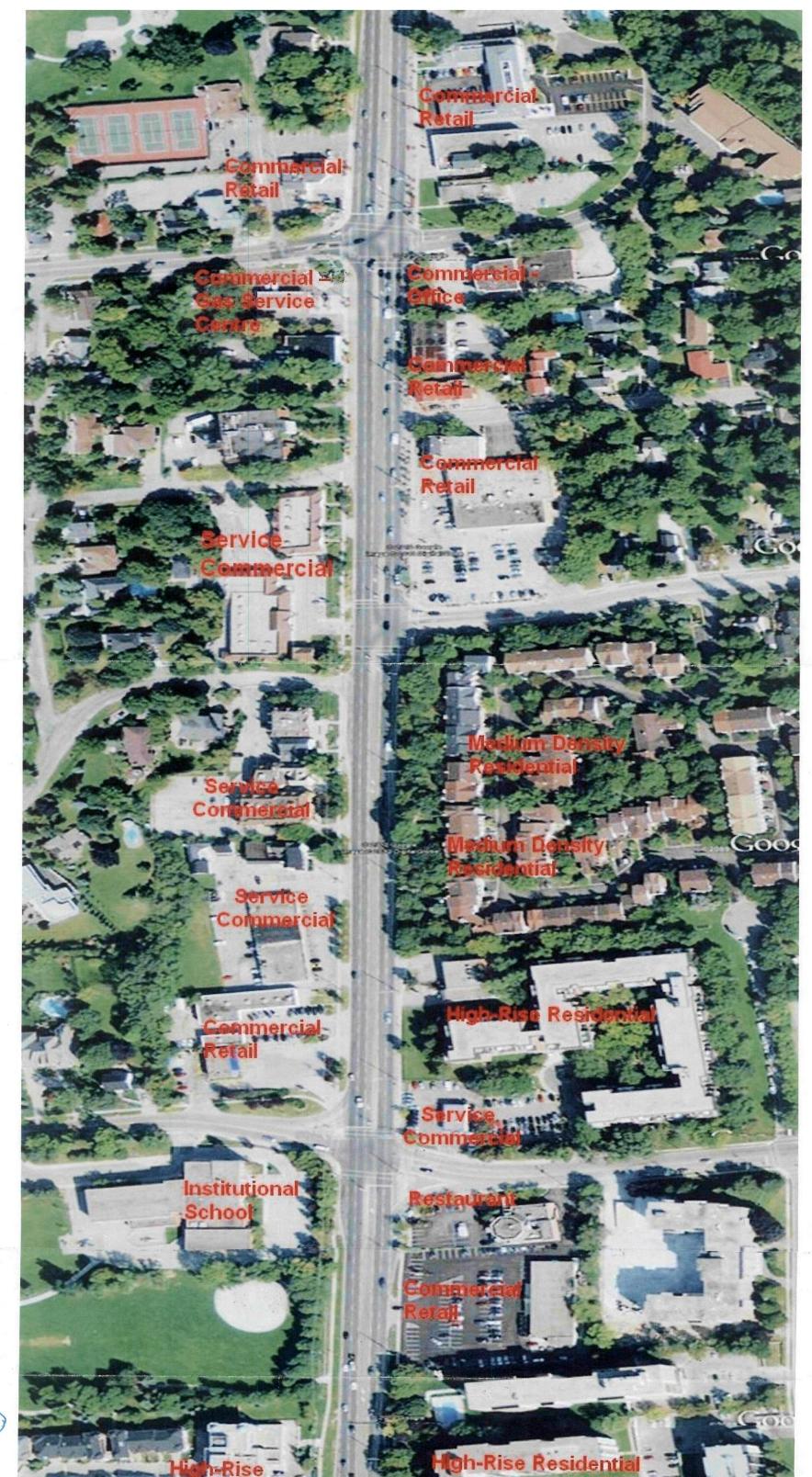
diana.birchall@vaughan.ca

 Alan Shefman, Ward 5 Councillor John Zipay, Commissioner of Planning Mauro Peverini, Manager of Policy Planning (Acting) Clement Chong, Planner













D06.2010.V.01.063



FROM THE OFFICE OF Chair Barriers

DIRECT LINE

416.365.3502

DIRECT FAX

416 777 7407

E-MAIL

charnett@davis ca

FILE NUMBER

79782-0000 L

December 9, 2010

DELIVERED BY FAX

Regional Clerk York Region 17250 Yonge Street, Newmarket, ON L3Y 6Z1

Dear Sir and/or Madam:

Re: City of Vaughan - Draft Official Plan and Vaughan Metropolitan Secondary Plan

We are counsel for 785345 Ontario Limited and I & M Pandolfo Holdings, the owners of 4.717ha of land known municipally as 7601 Jane Street, City of Vaughan. Our clients' property is located within the proposed Vaughan Metropolitan Centre on the proposed Land Use Schedule 13-R of the Draft OP, and would be subject to the policies of the Draft Secondary Plan, should these planning documents be adopted and approved.

Our clients have previously submitted an application for Official Plan Amendment and a revision thereto (File No. OP.04,001) to permit a mixed-use development on the Subject Property, which includes a combination of high density buildings and commercial and office space. The City has not yet made a decision with respect to that application.

Our clients were active participants in the public consultation process leading to the adoption of the draft Official Plan and the Secondary Plan. They continue to be in active discussions with the City in an effort to resolve issues and respond to questions that City staff have raised.

DAVIS

Page 2 of 3

Please provide us with notice of any consideration of the these documents by the Region, as well as any decision that is made.

Yours truly, DAVIS LLP

Per:

Chris Barnett

CMB/sxo



November 30, 2010

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

Attention: Augustine Ko, MCIP, RPP

Dear Mr Ko,

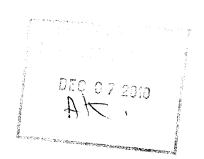
Re: City of Vaughan Official Plan, Volume 1

Thank you for the opportunity to comment on the City of Vaughan Official Plan, Volume 1, adopted on September 7, 2010. We understand that the request is for comments on Volume 1 of the Plan, as circulated on CD to the Town. Volume 2 of the City of Vaughan Official Plan was not included in the circulation and request for comment. We trust that Volume 2 will be circulated separately for comment.

We must first compliment the significant effort by the City of Vaughan in completing their new Official Plan. The new Plan represents a major step forward for the City in implementing Provincial and Regional growth policy, in consolidating the range of previous planning documents and providing the basis for the implementing zoning review.

Within the City of Vaughan, the geographic locations of most direct interest to the Town of Markham are those adjoining our common boundary along Yonge Street. As established in the Vaughan Official Plan, we understand that the applicable policies regarding planning for these locations are identified in Volume 2 of the new Official Plan, which contains more localised or site specific policies. Schedule 14 of Volume 1 indicates that these policies are to be found in Chapters 11 and 12 (Sections 12.2.1 and 12.2.11) of Volume 2.

Section 2.2.5.5., identifies lands on the west side of Yonge Street extending from Steeles Ave. to the CNR line as part of the Yonge Street & Steeles Avenue Primary Centre. Lands adjoining Yonge Street form part of a major activity area around the planned subway station, intended for a mix of residential, retail commercial and office uses incorporating active uses at grade. Policy 2.2.5.6 identifies that a Primary Centre is intended for transit-oriented development at transit-supportive densities. We understand that the details regarding the intended densities are not provided in Volume 1, but rather in the Yonge Steeles Corridor Secondary Plan which will form part of Volume 2. In this regard, I am attaching a copy



of the letter dated July 7, 2010 to the City of Vaughan, providing Town of Markham staff comments on the Yonge Street Secondary Plan.

Lands north of the Primary Centre between the CNR line and the Local Centre encompassing the heritage area around Centre Street form part of a Primary Intensification Corridor intended as a location for housing, mixed use or employment growth over time. The same designation applies to lands north of the Local Centre up to Highway 407. Again, the policies of Section 2.2.5.7., speak to development at transit-supportive densities, however the details regarding the intended densities and mix of land uses are not provided in Volume 1. In addition to our attached July 7, 2010 comments on the Yonge Steeles Corridor Secondary Plan, we request the opportunity to review and comment on the policy provisions that will apply to the Vaughan lands in the north Yonge Corridor, south of the Richmond Hill-Langstaff Gateway. We also point to the need to review development densities along the Yong Street corridor in the context of the macro transportation analysis being undertaken by the Region for the urban growth centre and surrounding area.

We are pleased to see provision for mixed use in the designations adjoining Yonge Street and in particular policies permitting office and retail activity. This is especially important in the vicinity of the planned subway stations. We note that the policies of Section 5.2.3.4. direct the majority of new retail uses to Intensification Areas to be provided as part of mixed use development.

However, Section 5.2.3.6 provides that retail development can include major retail uses, of more than 10,000m2. (We assume the size refers to the gross floor area of each premise, although this is not clear from the policies.) Major retail uses are proposed by Vaughan to be permitted in all the designations adjoining the Yonge Street Corridor including Primary Centres, Primary Intensification Corridors and Local Centres. This scale of retail development has not been contemplated on the east side of Yonge Street in Markham. In our view, retaining existing retail development within the context of transformation to mixed use is a valid objective. A general permission to permit new large format retail development however, represents a potential impact on the sustained competitiveness of smaller scale retail premises that may be more easily integrated into mixed use development. Large format retail premises are also difficult to integrate with mixed use, transit oriented development. We would prefer greater caution and specificity in regard to permitting new large scale retail premises in the Yonge Street Corridor, especially in areas where the retention and introduction of smaller scale retail is consistent with project design, and particularly in the Local Centre on Yonge Street adjacent to Markham's Heritage District.

We note that gas stations appear to be permitted in both the Primary Centre and the Primary Intensification Corridor via the applicable mixed use designations. We question whether the possible introduction of new gas stations into the Yonge Street Corridor is consistent with an increased orientation toward transit supportive development and improved pedestrian activity. A more restrictive and focused permission in regard to uses supportive of auto travel in the corridor would be preferable.

Section 4.2.1.12 refers to the early implementation of transit in the Highway 407 Corridor, and that Schedule 10 identifies Highway Bus Service on Highway 407. The terminology used does not reference a

transitway nor identify this as a dedicated corridor transit facility. We would prefer that the Plan reference the early implementation of a dedicated corridor transitway in the Highway 407 Corridor, regardless of the type of transit technology to be provided. In addition we think that the Plan should reference the importance of implementing the transitway linking the planned mobility hub in the Vaughan Metropolitan Centre, with those in the Richmond Hill/Langstaff Gateway and Markham Centre.

We note a number of policies in Section 4.2.1 of the Plan that relate to working with the Region to address the design of Regional Arterial roads. We are very supportive of this policy direction and would welcome the opportunity to participate with Vaughan and Region in this work.

Section 7.5.1.3 of the Plan requires preparation of a housing options statement for all significant developments with a residential component. We are supportive of this policy and regard it as a potential key contributor to implementing policies in the new Region of York Official Plan, in particular, the development of an affordable housing implementation framework. In this regard, we suggest that consideration might also be given to including information in the housing options statement about the potential contribution of the proposed housing towards achieving the identified affordable housing target. We would welcome the opportunity to work with the City and Region in the development of the implementation framework.

Section 4.2.2.4 of the Plan speaks to securing lands, for a range of transit facilities, including where appropriate, for commuter parking. Section 4.4.1.3 relating to GO rail corridors, refers to minimising the footprint of commuter parking by supporting shared parking, parking structures and effective transit service etc. Markham is supportive of the minimization of commuter parking to reduce commuter traffic and support the use of transit connections. In this regard we feel that the provisions of Section 4.4.1.3 should be similarly applied to minimize commuter parking in relation to subways, notably the planned parking facility serving the Longbridge station on Yonge Street.

Our Heritage Staff highlight the need to ensure that the OP policies for the heritage area along Yonge Street are to be consistent with the recent joint planning study exercise completed by Vaughan and Markham. We also note that in Volume 1, the provisions for the Thornhill-Yonge Street Historic Village (page 40) form part of the Local Centres policies and identify that the village core "will experience development and/or intensification to varying degrees, as befits the local context." Development within the heritage area should be of a scale in keeping with the heritage context, is also to be subject to the Heritage Conservation District Plan. A policy concern that we have identified in Volume 1 is the provision for large format retail, discussed above.

On a more general matter relating to heritage we suggest that the provisions of Section 8.5 in regard to energy conservation and efficiency (perhaps in Section 8.5.1.7) should be revised to provide that alternative and renewable energy generation should only be accommodated in regard to heritage resources when it does not adversely affect a heritage resource.

We trust that our comments will be of assistance to the Region in the process of reviewing the City of Vaughan Official Plan.

Yours very truly,

Jim Baird, MCIP, PRR

Commissioner, Development Services

c. Mayor and Council John Livey, Chief Administrative Officer John Zipay, Commissioner of Planning, City of Vaughan

Q:\Development\Planning\MISC\MI 540 Vaughan OP\VOLUME 1\Comments to Region Nov 2010.docx



July 7th, 2010

Diana Birchall, Director of Policy Planning The City of Vaughan 2141 Major MacKenzie Drive Vaughan, Ontario L6A 1T1

Dear Ms. Birchall,

RE: Yonge-Steeles Secondary Plan, File 25.5.12.4

In response to your request, we appreciate the opportunity to provide comments on the City of Vaughan's proposed Yonge-Steeles Secondary Plan. Our comments are as follows:

- 1. Schedule 3 South Mandatory Retail Frontages shows mandatory retail frontages on Yonge Street only between Steeles and Woodward (2 blocks). The Town of Markham's Yonge Steeles Corridor Study shows proposed mandatory retail frontages on the east side of Yonge St from Steeles to the CN Rail line including the Liberty site. Vaughan should consider extending the requirement for mandatory retail frontages on the west side of Yonge St north to the CN line, to reflect Markham's proposal and to provide for a symmetrical retail shopping area along this section of the Yonge Corridor.
- 2. Schedule 5 South Proposed Local Streets shows a local street intersecting with the west side of Yonge Street mid-way between Meadowview and the CN Rail line. However, as part of the Liberty development a full movement signalized intersection will be provided on Yonge Street immediately south of the CN rail overpass. The signals are proposed to be installed as part of Liberty's phase 1. Vaughan should consider extending the north/south road west of Yonge Street up to the CN line and extending an east west street to Yonge to intersect at the signalized intersection.
- 3. There are some variations in heights and densities between the Markham YSCS (proposes 3.5 fsi and 30 storey maximum height along the Yonge St. frontage) vs. the Vaughan YSCS which proposes a gradation in heights and densities (5 fsi and 30 storey height at Yonge/Steeles intersection, 3.5 fsi and 22 stories mid-way between Steeles and CN rail, and 2.5 fsi and 16 to 18 storeys near the CN rail line). The potential variations in the height and density of high rise towers may not be of concern, provided that the street wall podiums on both sides of Yonge Street are compatible (see below) and provided that transportation capacity and infrastructure phasing requirements can be shown to be adequately addressed.

- 4. The Vaughan Secondary plan provides for a minimum podium height along Yonge Street of 6 storeys at Yonge/Steeles and 4 storeys further north but does not provide a maximum podium height. The Markham YSCS provides for a maximum podium height of 9 storeys along the full length of Yonge Street. Vaughan should incorporate a similar maximum podium height to encourage symmetrical street walls along both sides of Yonge Street between Steeles and the CN rail.
- 5. The Vaughan secondary plan does not address the **form of high-rise buildings** that are contemplated. The Markham YSCS emphasizes that all buildings above the podium height must be in the form of point towers. There are no maximum floor plates for the portion of the building up to 35 m in height (to allow for 9 storey maximum podiums), for the portion of the building from 35 m to 65 m heights the maximum floor plate is 900 m², and for heights greater than 65 m (up to 100 m max) the maximum floor plate is 650 m². The Markham YSCS also proposes a minimum separation distance of 25 m between high rise towers. Vaughan should consider incorporating similar performance standards to avoid large slab high-rises.
- The block size for the block immediately to the NW corner of Yonge/Steeles is about 200m and this should be considered for further division into blocks of about 100m for pedestrian/cyclist connections to make this more permeable for pedestrians and cyclists.
- 7. The proposed **pedestrian connection** in Vaughan across the CNR track provides an opportunity for a bike route from Clark Ave to Steeles on new N-S streets instead of having a bike route on Yonge Street. This opportunity should be mentioned in section 5.8 (Bicycle Lanes).

We thank you for the opportunity to provide these comments. If you have any questions please feel to contact Ron Blake, at (905) 477 7000 x 2600.

Sincerely,

Jim Baird, R.P.P., M.C.I.P.

Commissioner of Development Services

Copy to:

Ron Blake, West District Development Manager, Markham

Liz Wimmer, West District Senior Urban Design Planner, Markham Biju Karumanchery, Senior Development Manager, Markham Tim Lambe, Manager of Policy, Markham.

Brian Lee, Manager of Development and Transportation Engineering, Markham

Dave Miller, Senior Project Coordinator, Markham

Clement Chong, Planner, Vaughan



WESTON CONSULTING GROUP INC.

'Land Use Planning Through Experience and Innovation'

December 2, 2010 File No. 3975

Mr. Bryan Tuckey Commissioner of Planning Regional Municipality of York 17250 Yonge Street 4th Floor Newmarket ON L3Y 6Z1

ATTENTION: Augustine Ko

Dear Sir:

Re: City of Vaughan Official Plan

1693143 Ontario Inc. and 1693144 Ontario Inc. ("the owners")

8151 Highway 50

East side of Highway 50, south of future Ebenezer Road extension

We are planning consultants to the above companies which own a 3.98 ha parcel at the above location (Huntington Business Park - Block 57/58).

The new Official Plan of the City of Vaughan designates the west half of the subject property as "Prestige Employment" and the east half as "General Employment" (Schedule 13-P). These designations are generally consistent with the approved Block Plan, but the range of commercial uses permitted within the Prestige Employment designation is significantly reduced in the new Official Plan.

Following approval of the Owners rezoning application, Vaughan Council, on June 29, 2010, enacted Bylaw 171-2010 (attached), rezoning the lands in conformity with OPA 450 and the Block Plan.

A site plan application has not been submitted, and accordingly development of the property has not commenced.

In the attached letter dated June 10, 2010, we requested that the new Official Plan recognize approved zoning on parcels such as the Owners'. The City did not take any action in this regard. Accordingly, if the Official Plan is approved as submitted, the Owners lands will be vulnerable to a future downzoning that would significantly reduce the range of permitted commercial uses when the City amends its Zoning By-law to achieve conformity with the new Official Plan.

Since 1981

Vaughan Office:

201 Millway Avenue, Unit 19,
 Vaughan, Ontario, L4K 5K8

Tel. 905-738-8080

Oakville Office:

1660 North Service Road East, Suite 114,

Oakville, Ontario, L6H 7G3

Tel. 905-844-8749

The owner has incurred significant expenses in securing a rezoning in accordance with the existing Official Plan and is very concerned with regard to the City's new Official Plan. The document in its current form is unacceptable and accordingly, we would request that consideration be given to a modification to the City of Vaughan Official Plan to address the above issue. This could take the form of a site-specific policy. We would be pleased to discuss this with you further.

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

Yours truly,

Weston Consulting Group Inc.

Per:

Alan Young BES MSc MCIP RPP

An your,

Senior Associate

cc. Susie lacobucci

John Zipay, City of Vaughan Diana Birchall, City of Vaughan Grant Uyeyama, City of Vaughan



Clerk's Department 2141 Major Mackenzie Drive Vaughan, Ontario L6A 1T1 (B) 905-832-8504, Ext. 8362 (F) 905-832-8535

July 23, 2010

1693143 Ontario Inc. & 1693144 Ontario Inc. 1021 Meyerside Drive, Unit 10 Mississauga, Ontario L5T 1J6

Dear Sirs:

RE: <u>CITY OF VAUGHAN BY-LAW 171-2010</u>

Please find attached a copy of the above-mentioned by-law, and City Clerk's Affidavit. This by-law is in effect, as of June 29, 2010.

Sincerely,

JØAN HAMILL

Administrative Co-ordinator/Technician

oan Hamill

Clerk's Department

Attachments

Copy to: Weston Consulting Group Inc., Attn: Alan Young

THE CORPORATION OF THE CITY OF VAUGHAN

IN THE MATTER OF Section 34, Subsections (18) and (19) of the Planning Act, R.S.O. 1990, c.P.13

I, JEFFREY A. ABRAMS, of the City of Toronto, make oath and say:

- THAT I am the City Clerk of the Corporation of the City of Vaughan and as such, have knowledge of the matters hereinafter deposed to.
- 2. THAT By-law Number 171-2010 was passed by the Council of the Corporation of the City of Vaughan on the 29th day of June, 2010, and written notice was given on the 2nd day of July, 2010 in the manner and form and to the persons prescribed in Regulation 199/96.
- 3. THAT no notice of appeal setting out an objection to By-law 171-2010 was filed with me within twenty (20) days from the date of written notice of the passing of the by-law.
- THAT By-law Number 171-2010 is deemed to have come into effect on the 29th day of 4. June, 2010.

SWORN BEFORE ME in the City of Vaughan, in the Regional Municipality of York, this 23rd day of July, 2010.

JEFFREY A **ABRAMS**

A Commissioner, etc.

James Todd Coles, a Commissioner, etc.,

Regional Municipality of York, for The Corporation of the City of Vaughan.

Expires March 27, 2013.

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 171-2010

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 Vaughan Official Plan adopted by Council but 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:

- 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 A Agricultural Zone and C6 Highway Commercial Zone to EM2 General Employment Area Zone and EM3 Retail Warehouse Employment Area Zone, in the manner shown on the said Schedule "1".
 - b) Deleting Exception 9(394) from Section 9.0 "EXCEPTIONS" and substituting therefor the following paragraph:

"(394) Notwithstanding the provisions of:

- a) Subsection 2.68 respecting the Definition of a Lot;
- Subsection 6.1.6 b) Landscaping Requirements, respecting minimum
 landscape strip widths along a lot line adjacent to an arterial road;
- Subsection 6.5.1 a) respecting uses permitted in an EM3 Retail Warehouse
 Employment Area Zone;

the following provisions shall apply to the lands shown as "Subject Lands" on Schedule "E-412":

- ai) for the purpose of zoning conformity, the lands shown as Subject Lands on Schedule "E-412" shall be deemed one lot, regardless of any future division of said lands;
- the minimum landscape strip width adjacent to Regional Road 50 shall be
 6.0m alongside a building that is setback 6.0m from Regional Road 50 and
 that contains windows facing Regional Road 50;
- the minimum landscape strip width adjacent to Huntington Road shall be6.0m;
- ci) the following additional uses, pursuant to Section 2.0 Definitions shall be permitted in the EM3 Retail Warehouse Employment Area Zone up to a

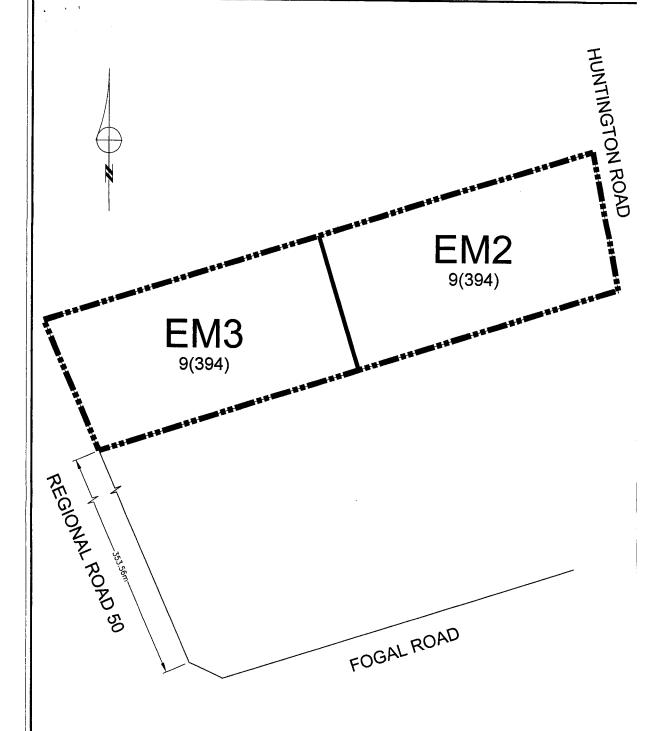
combined maximum of 1800m2:

- Eating Establishment;
- Eating Establishment with Outdoor Patio;
- Eating Establishment, Convenience
- Eating Establishment, Take Out, with Outdoor Patio;
- Personal Service Shop;
- Convenience Retail Store;
- Bank and Financial Institution.
- c) Deleting Schedule "E-412" and substituting therefor the Schedule "E-412" attached hereto as Schedule "1".
- d) Deleting Key Map 10B and substituting therefor the Key Map 10B attached hereto as Schedule "2".
- 2. Schedules "1", and "2" shall be and hereby form part of this By-law.

READ a FIRST, SECOND and THIRD time and finally passed this 29th day of June, 2010.

Linda D./Jackson, Mayor

Jeffrøy A. Abrams, City Clerk



THIS IS SCHEDULE 'E-412'
TO BY-LAW 1-88, SECTION 9(394)

NOT TO SCALE

THIS IS SCHEDULE '1' TO BY-LAW 171 - 2010

SUBJECT LANDS

PASSED THE 29 th DAY OF JUNE, 2010

FILE No. Z.07.041

LOCATION: PART OF LOT 8, CONCESSION 10

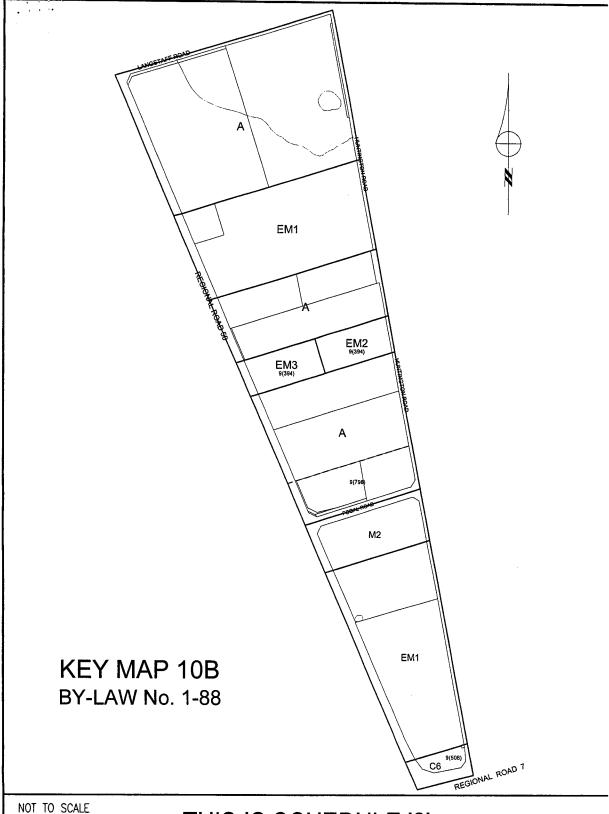
APPLICANT: 1693143 ONTARIO INC. & 1693144 ONTARIO INC.

CITY OF VAUGHAN

SIGNING OFFICERS

MAYOR

CLERK



THIS IS SCHEDULE '2' TO BY-LAW ____ - 2010 PASSED THE 29 HD DAY OF JUNE, 2010

FILE No. Z.07.041

LOCATION: PART OF LOT 8, CONCESSION 10

APPLICANT: 1693143 ONTARIO INC. & 1693144 ONTARIO INC.

CITY OF VAUGHAN

MAYOR CLERK

SUMMARY TO BY-LAW 171-2010

The lands subject to this By-law are located on the east side of Regional Road 50, through to Huntington Road and north of Fogal Road, municipally known as 8151 Regional Road 50, in Part of Lot 8, Concession 10, City of Vaughan

The purpose of this by-law is to rezone the subject lands from A Agricultural Zone and C6 Highway Commercial Zone to EM2 General Employment Area Zone and EM3 Retail Warehouse Employment Area zone with site specific exceptions for landscape strips widths, the definition of a lot and to permit the following additional uses in the EM3 Retail Warehouse Employment Area Zone up to a combined maximum of 1800m²:

- Eating Establishment:

- Eating Establishment with Outdoor Patio;
 Eating Establishment, Convenience
 Eating Establishment, Take Out, with Outdoor Patio;
 Personal Service Shop;
- Convenience Retail Store:
- Bank and Financial Institution.



LOCATION MAP TO BY-LAW___\- 2010

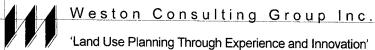
FILE No. Z.07.041

LOCATION: PART OF LOT 8, CONCESSION 10

APPLICANT: 1693143 ONTARIO INC. & 1693144 ONTARIO INC.

CITY OF VAUGHAN





June 10, 2010 File No. 3975

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

Dear Sir:

Re:

Draft City of Vaughan Official Plan - April 2010

1693143 Ontario Inc. and 1693144 Ontario Inc. ("the Owners")

8151 Highway 50

East side of Highway 50, south of future Ebenezer Road extension

File#OP.25.1

On June 8, 2010, Council approved the Owners' application to rezone their 3.98-ha parcel at the above location to EM2 and EM3 in accordance with the Official Plan (OPA 450) and the approved Block Plan.

We have reviewed the draft, City-wide, comprehensive Official Plan and note that Prestige Employment designations are proposed for the Highway 50 and Huntington Road frontages of the Owner's lands, and General Employment for the lands in the interior of the site.

The above proposed land use designations are not consistent with the approved Block Plan, which places a Prestige Employment designation on the west half of the property, with frontage on Highway 50, and a General Employment designation on the east half of the property, with frontage on Huntington Road. The proposed land use designations accordingly do not match the approved rezoning categories.

We note also that the proposed land use policies would significantly reduce the range of commercial uses permitted within the Prestige Employment designation.

We understand that the City intends to proceed expeditiously with a zoning by-law review to implement the new Official Plan following its adoption. Since the draft Official Plan does not contain a general recognition for uses previously approved through a rezoning process, and

since there is no site-specific official plan policy proposed for this location, the Owner's property would be vulnerable to a City-initiated downzoning that would significantly reduce the range of permitted commercial uses, and which would re-arrange the location of the permitted uses on the property.

The Owners have expended considerable efforts to achieve a rezoning in conformity with the City's existing policies, and accordingly requests that the new Official Plan contain appropriate provisions to protect its zoning approval. This approach would be consistent with the recently adopted York Region Official Plan which contains policies recognizing prior approvals. A site-specific policy governing these lands will probably be required.

We would be pleased to provide any clarification that may be required with respect to the foregoing.

Yours truly,

Weston Consulting Group Inc.

Per:

Alan Young, BES MSC MCIP RPP

Senior Associate

cc. Susie lacobucci

John Zipay, City of Vaughan Diana Birchall, City of Vaughan Grant Uyeyama, City of Vaughan Ryan Mino, City of Vaughan Pino DiMascio, Urban Strategies Emily Reisman, Urban Strategies



WESTON CONSULTING GROUP INC.

'Land Use Planning Through Experience and Innovation'

December 2, 2010 File No. 3660

The Regional Municipality of York Planning Department 17250 Yonge Street, 4th Floor Newmarket, ON L3Y 6Z1

ATTENTION: Mr. Bryan Tuckey

Commissioner of Planning and Development Services

Dear Sir:

Re:

City of Vaughan Official Plan (City of Vaughan By-law 235-2010)

City File No. DA.04.006 7301 Major Mackenzie Drive

City of Vaughan

AF deliday

Weston Consulting Group Inc. (WCGI) is the planning consultant representing Apra Truck Lines, the owner of a 4.5 acre parcel of land located southeast of the intersection of Major Mackenzie Drive and Highway 50 in the City of Vaughan. WCGI is currently assisting the owner in obtaining site plan approval from the City of Vaughan for a trailer parking yard on the subject property. The proposed development for the property is a truck terminal (i.e. truck and trailer parking) without a building. Access to the property is proposed from Major Mackenzie Drive.

Existing Planning Framework

The subject property is designated Prestige Employment according to City of Vaughan Official Plan Amendment 509 ("OPA 509"). According to OPA 509, development shall be in accordance with the Employment Area General policies under OPA 450 (Policy 2.a)). Under the Employment Area General Land Use policies, uses that require accessory outdoor storage are permitted, including but not limited to warehousing and storage operations and transportation and distribution facilities. Policy 2.b) states that the "outdoor storage of goods and materials shall not be permitted adjacent to a street; trailer parking shall not be considered outside storage".

The subject property is zoned EM1 – Prestige Employment with a site-specific Exception 9(1040) according to City of Vaughan Zoning By-law 1-88. Exception 9(1040) identifies a truck terminal as a permitted use. Under this exception, regulation eiii) states that "Outside storage shall not be permitted between a building and a street; **trailer parking shall not be considered outside storage.**" This regulation is consistent with OPA 509.

Based on the existing policy framework, the use of the subject property for the storage of transport trailers is permitted. Please refer to the attached extracts of these documents.

Since 1981

Vaughan Office:

201 Millway Avenue, Unit 19,

Vaughan, Ontario, L4K 5K8

Tel. 905-738-8080

Oakville Office:

1660 North Service Road East, Suite 114,

Oakville, Ontario, L6H 7G3

Tel. 905-844-8749

Submission Overview

This submission is provided in relation to the new City of Vaughan Official Plan (Volume 1), which was adopted by City Council on September 7, 2010 (By-law 235-2010). We wish to express some concerns with respect to certain provisions in the adopted Official Plan on behalf of our client.

City of Vaughan Official Plan Background

The April 2010 version of the City's draft Official Plan (Volume 1) proposed a General Employment designation for the subject property according to Schedules 13 and 13-F. The General Employment policies (attached) were reviewed by WCGI and were found to be acceptable given that transportation uses and outdoor storage permissions were permitted in the proposed General Employment designation. Based on the proposed designation and the policies being acceptable to our client, a submission in response to the draft Official Plan was not filed.

During the July 28, 2010 City of Vaughan Special Committee of the Whole and the August 31, 2010 City of Vaughan Committee of the Whole meetings, the Committee considered two separate staff reports that included submissions, staff comments, and recommendations in relation to the April 2010 draft Official Plan. It was our understanding, based on a review of these reports that the proposed designation for the subject lands and the associated policies relating to the General Employment designation were not to be modified in a manner that would preclude the use of the subject property for a truck terminal use. The July 28, 2010 and August 31, 2010 staff report recommendations and attachments were adopted by City Council on September 7, 2010.

City of Vaughan Official Plan (Adopted Version)

The adopted version of the City's Official Plan includes an additional policy under the General Employment land use designation in Chapter 9 that was not in the April 2010 draft version and was not referenced in the staff reports noted above. The adopted version of Volume 1 includes Policy 9.2.2.9.e., which states:

"No lot within General Employment designated areas shall be used for the sole purpose of outside storage. Where outside storage is proposed on a lot, a building must be provided in accordance with the provisions of the City's Zoning By-law. Notwithstanding, outside storage shall not be permitted on a corner lot."

Our client's concerns relate to the addition of this policy, which would preclude the use of the property for a truck terminal as the property is a corner lot. Furthermore, the proposed development does not envision a building in conjunction with the parking of trucks and trailers, which would also preclude the use based on the above policy. The effect of this policy is one that would remove permissions that the owner presently has under OPA 509

and Zoning by-law 1-88, as amended. Our client does not support the above policy as it relates to the subject property.

It is our understanding, through discussions with City staff that the introduction of this policy was intended to reflect what is currently found in the City's Zoning By-law 1-88. However, the restrictions for outside storage uses on a corner lot and the requirement to have a building in conjunction with outside storage are found in the EM2 zoning provisions and are not applicable to the subject property. The site-specific provisions for the subject property were based on an exception to the EM1 Zone and specifically recognized the appropriateness of trailer parking in the area and permitted the use.

Proposed Modification

We request that a site-specific policy be applied to the subject property to recognize the site-specific permissions for a truck terminal and trailer parking consistent with OPA 509 and Zoning By-law 88-99.

Our request for this modification is based on several factors and considerations, which are outlined below.

The above modification is consistent with the existing zoning and official plan permissions that permit a truck terminal and trailer parking on the subject property. We note that these existing permissions do not permit the outdoor storage of other goods and materials, which can have greater impacts than trailer parking.

The permission for trailer parking on the subject property provides a synergy of land uses with the abutting Intermodal yard, which was acknowledged as a basis for these permissions in the existing official plan and zoning by-law. The subject property and the additional properties along Highway 50 that are governed by OPA 509 and Zoning By-law Exception 1040 were recognized as being an appropriate location for trailer parking. Furthermore, the policies and regulations in these documents provided specific regulations to ensure that trailer parking was appropriately screened from the road. In particular, generous landscaping areas are required along road frontages.

As noted above, the existing site specific policies and zoning regulations apply to all lands along the Highway 50 frontage between Rutherford Road and Major Mackenzie Drive. The proposed designation of General Employment would permit outdoor storage uses on these lands in addition to trailer parking. It is noted that the City, in the preparation of their Official Plan found this to be desirable and appropriate.

We note that the City's zoning by-law definition of a truck terminal does not specify the requirement to have a building in relation to the parking of trucks or trailers. The absence of a building in conjunction with a trailer parking yard will provide greater flexibility for the future development of the property for other uses in accordance with policies of the General Employment designation.

Summary

Based on the above considerations, we request that the City of Vaughan Official Plan be revised in accordance with our proposed modification. However, should the above modification not be acceptable, we would be pleased to discuss alternative modifications that will address our client's concerns.

We trust that the above comments will be considered by Regional Planning Staff in the refinement and ultimate approval of the City's Official Plan. We look forward to working with Regional Staff and City Staff to resolve this matter as soon as possible. We would appreciate the opportunity to meet with Regional Staff to discuss these matters at the appropriate time.

Please consider this our formal request for notice of modifications and/or approvals issued by the Region in relation to the City of Vaughan Official Plan. We also reserve the right to identify further issues, as may be necessary, through the modification and approval process.

Please contact the undersigned or Mark Jacobs (ext. 286) if you have any questions.

Yours truly,

Weston Consulting Group Inc.

Per:

Wah Guetter, BES, MCIP, RPP

Associate

CC:

- J. Zipay, City of Vaughan
- G. Uyeyama, City of Vaughan (Letter only)
- M. Peverini, City of Vaughan (Letter only)
- D. Birchall, City of Vaughan
- C. Messere, City of Vaughan (Letter only)
- M. Rossi, City of Vaughan (Letter only)
- A. Ko, Region of York
- M. Emery, WCGI (Letter only)
- J. Singh, Apra Truck Lines

Encls.

- 1) April 2010 draft Vaughan Official Plan extracts and mapping
- 2) City of Vaughan By-law 99-99 adoption OPA 509
- 3) City of Vaughan Zoning By-law 88-99

Downtown Mixed-Use

9.2.2.8. The area designated as **Downtown Mixed-Use** on Schedule 13 forms the entirety of the **Vaughan Metropolitan Centre**. Development within this designation shall conform to the Vaughan Metropolitan Centre Secondary Plan contained in Volume 2 of this Plan.

General Employment

- 9.2.2.9. In areas designated on Schedule 13 as **General Employment**, the following policies shall apply:
 - a. General Employment areas shall be predominantly industrial areas characterized by low scale buildings with a variety of lot sizes to provide flexibility for attracting and accommodating a wide range of industrial and associated employment uses. While areas designated as General Employment will continue to accommodate vehicles and trucks, development in such areas shall be designed with pedestrian amenity to serve the daily employee population and to facilitate access to public transit.
 - b. The following uses are permitted in areas designated as **General Employment,** in addition to those uses permitted through policy 9.2.1.9:
 - A full range of industrial uses including manufacturing, warehousing (but not a retail warehouse), processing, transportation, distribution, any of which may or may not include outdoor storage;
 - ii. Office and/or retail uses ancillary to and directly associated with any of the uses listed in policy 9.2.2.9.b.i. provided that:
 - A. the ancillary use is located on the same lot as the primary use;
 - B. the ancillary retail use is limited to no more than 10% of the total gross floor area of the primary use;
 - C. the ancillary office use is limited to no more than 40% of the total gross floor area of the primary use.
 - c. The operation of any use must not result in a nuisance or have an adverse effect on neighbouring uses by virtue of the emission or discharge of noise, vibration, particulate, odour or other irritants.

- d. Separation distance guidelines prepared by the Ministry of Environment, or alternative measures shall be applied to achieve compatibility between uses in the General Employment designation and uses in other land-use designations.
- e. The following Building Types are permitted in **General Employment** *areas*, pursuant to policies in Section 9.2.3 of this Plan:
 - i. Employment/Industrial Buildings;
 - ii. Low-Rise Buildings; and,
 - iii. Mid-Rise Buildings;

Prestige Employment

- 9.2.2.10. In areas designated on Schedule 13 as **Prestige Employment**, the following policies shall apply:
 - a. Prestige Employment areas shall be characterized by high quality buildings in an attractive pedestrian-friendly and transit-oriented working environment. A variety of lot sizes shall be made available in areas designated as Prestige Employment to provide flexibility for attracting and accommodating a wide range of employment uses.
 - b. **Prestige Employment** *areas* shall generally be located on arterial streets forming the edges of **Employment Areas**, and along 400-series highways, in order to:
 - i. allow the areas to provide a transition between **General Employment** areas and more sensitive land uses.
 - ii. locate greater intensity uses on key transportation routes, and
 - iii. provide locational opportunities for activities which require high visual exposure and an attractive working environment.

Employment/Industrial Buildings

- 9.2.3.7. The following policies and development criteria apply to Employment/Industrial Buildings:
 - a. Employment/Industrial Buildings are buildings exclusively located within **Employment Areas** and are generally *low-rise* in form.
 - b. In order to provide convenient access for pedestrians and transit users, Employment/Industrial Buildings shall generally be oriented to front onto a public street and provide direct and safe pedestrian access, separated from parking lots, to any main building entrance.
 - c. Employment/Industrial Buildings that do not front onto a public street are only permitted on lots where the majority of any frontage facing a public street is occupied by an *Employment/Industrial Building* that does front onto the public street. Such Employment/Industrial Buildings are required to provide direct and safe pedestrian access, separated from parking lots, to any main building entrance.
 - d. Surface parking between the front or side of an Employment/Industrial Building and a public street is limited to one aisle of parking spaces and shall occupy no more than 50% of the building frontage.
 - e. All surface parking areas must provide a high level of landscaping treatment and pedestrian pathways. It is encouraged that the grading and landscaping materials for surface parking lots be designed as part of the site's stormwater management system.
 - f. The rooftop of Employment/Industrial Buildings shall include landscaped green space, private outdoor amenity space or environmental features such as solar panels.



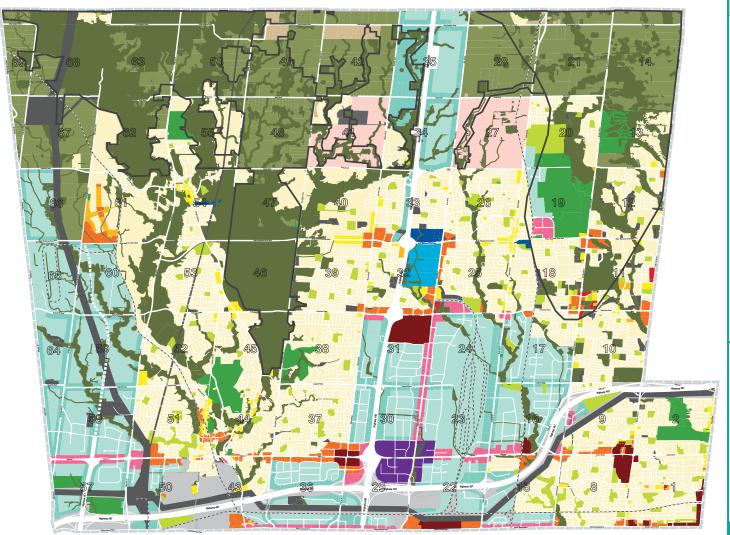
SCHEDULE 13

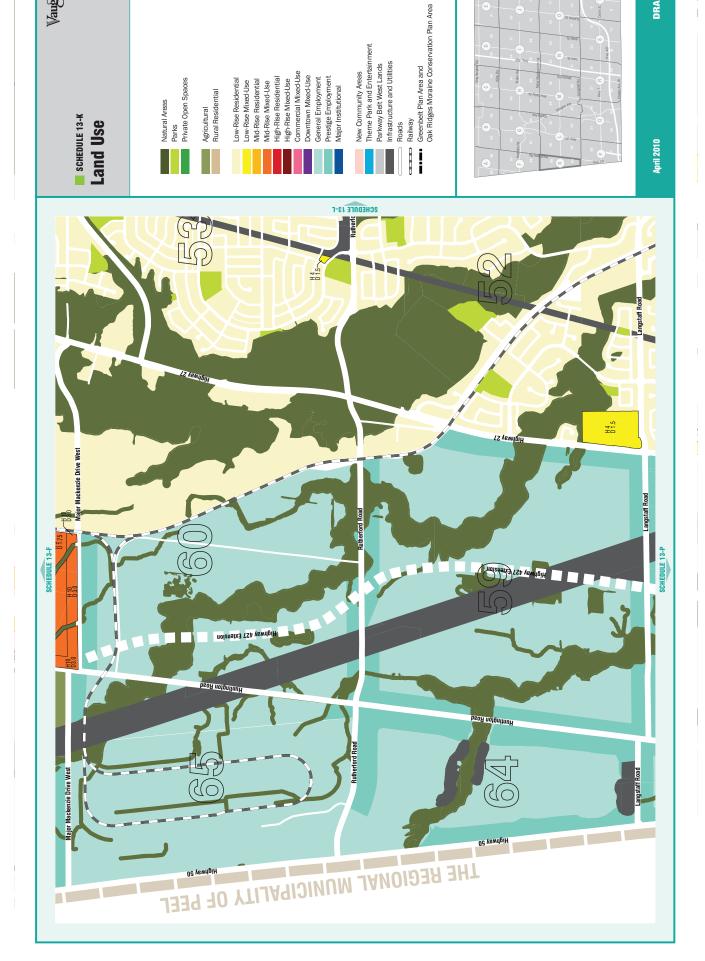
Land Use





April 2010 DRAFT





Vaughan PLAN

DRAFT

I, JOHN D. LEACH, City Clerk of the Corporation of the City of Vaughan in the Regional Municipality of York, do hereby certify that attached is a true copy of Amendment Number 509 to the Official Plan of the Vaughan Planning Area, which was approved by the Regional Municipality of York, with modifications, and came into force on the 6th day of May, 1999.

City Clerk City of Vaughan

DATED at the City of Vaughan this 13th day of May, 1999.

THE CITY OF VAUGHAN BY-LAW

BY-LAW NUMBER 99-99

A By-law to adopt Amendment Number 509 to the Official Plan of the Vaughan Planning Area.

NOW THEREFORE the Council of The Corporation of the City of Vaughan ENACTS as follows:

- THAT the attached Amendment Number 509 to the Official Plan of the Vaughan Planning Area, consisting of the attached text and Schedules "1", "2" and "3", is hereby adopted.
- AND THAT the City Clerk is hereby authorized and directed to make application to the Regional
 Municipality of York for approval of the aforementioned Amendment Number 509 to the Official Plan of the
 Vaughan Planning Area.
- 3. AND THAT this By-law shall come into force and take effect on the day that the By-law enacted by the Regional Municipality of York adopting an amendment to the Regional Official Plan for the lands in Official Plan Amendment Number 509 comes into force and takes effect.

READ a FIRST, SECOND and THIRD time and finally passed this 22nd day of March, 1999.

. D. Jaekson, Mayor

J. D. Leader, City Clerk

AMENDMENT NUMBER 509 TO THE OFFICIAL PLAN OF THE VAUGHAN PLANNING AREA

The following text and Schedules "1", "2" and "3" constitute Amendment Number 509 to the Official Plan of the City of Vaughan Planning Area.

Also attached hereto, but not constituting part of the Amendment are Appendices I and II.

PURPOSE

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The purpose of this amendment is to amend Amendment No. 450 to the Official Plan of the City of Vaughan Planning Area by redesignating the subject lands from "Railway Facilities" to "Prestige Area", and by providing site specific policies to guide the use and development of the lands. This will permit the subject lands to be used for employment purposes, particularly transportation, warehousing and distribution facilities.

II LOCATION

The lands subject to OPA No. 509 are shown as area "Subject to Paragraph 9.3 of Schedule "9" to OPA No. 450" on Schedule "1" hereto and are hereinafter referred to as the "Subject Lands". The subject lands front on the east side of Highway No. 50 (Peel Regional Road No. 24), between Rutherford Road on the south and Major Mackenzie Drive on the north. The subject lands have an area of approximately 50 hectares and are composed of the wasterly portions of Lots 16 to 20, Concession 10 inclusive, in the City of Vaughan.

III BASIS

The decision to amend the official plan is based on the following considerations:

Locational and Land Use Context

The subject lands originally formed the westerly part of the Canadian Pacific Railway's Vaughan Intermodal Yard. The intermodal yard acts as an important link in the railway's container shipping network and is one of two such facilities operated by CP in the Greater Toronto Area. Freight packed in containers, is brought to the intermodal yard for transfer from train to truck for incoming freight, or from truck to train for outgoing material. An expansion of the yard facilities was completed in 1998, which will allow it to handle 225,000 containers per year.

The intermodal yard is characterized by excellent accessibility to all parts of the Greater Toronto Area and the Golden Horseshoe beyond. This is mainly the result of its proximity to the 400 - series network of Provincial Highways. The key transportation facilities include: Highway No. 427 (and its potential extension to the north) and Highway No. 407 to the south; Highway No. 400 to the east; and Highway No. 410 to the west. The intermodal yard also benefits from its proximity to Pearson International Airport and the expanding network of Regional Roads in both York and Peel Regions.

The purpose of the redesignation of the Highway No. 50 frontage is to allow the subject lands to be used for employment uses which are independent (ie. not railway owned) of the CP intermodal

operation. Such uses would also be attracted by the locational and transportation attributes that the intermodal yard features. In addition, the intermodal yard and many types of employment uses would benefit in a synergistic way from being in close proximity to each other. These uses would include transportation and shipping uses, distribution centres, cross-dock facilities and warehouses. They would both support the intermodal yard and benefit from its presence. In addition, this relationship would build efficiencies in the overall distribution network serving Vaughan and the GTA.

Policy Context

The subject lands are currently designated "Rallway Facilities" by OPA No. 450 (Employment Area Growth and Management Plan). The purpose of the "Rallways Facilities" designation is to acknowledge the significance of the intermodal facility as a major employment generating land use and to provide policies governing the use of these lands, should the railway and any related use cease. Railways are under federal jurisdiction, therefore, municipal planning regulations do not apply to the intermodal facility. Because the lands subject to this amendment, and any potential uses, may ultimately not be owned and operated by the rail company, Section 2.2.6.1, "Development Policies" - "Land Use" of OPA No. 450 applies as follows:

 Should a large portion of the lands designated Railway Facilities be released for development, then development shall only occur on the basis of an amendment to this plan.

While an official plan amendment is required, the redesignation to "Prestige Area" under OPA No. 450 is not a substantial departure from the present use. It represents an intensification of a site which is already developed with what is effectively a major urban use.

Under the Region of York Official Plan, the intermodal yard is designated "Rural Policy Area". The proposed redesignation does not conform to the Regional Official Plan and therefore, the owners have applied to amend the plan to bring its entire holding under the Regional "Urban Area" designation.

Development Context

The lands to the north, west and east are currently under rural use. These uses include farming activities and scattered residences. To the south, there is an existing golf course located on the

P. 07 0>0

south side of Rutherford Road, adjacent to Highway No. 50. These uses have co-existed with the operation of the intermodal yard since its inception. Further land use conflicts due to on-site operations are not anticipated. However, the impact of traffic, particularly truck traffic, will be a consideration and will require the upgrading of the existing road system. Therefore, the implementation of road network improvements will be necessary. Screening and landscaping of the subject lands will also be necessary in order to achieve attractive streetscapes adjacent to Rutherford Road, Major Mackenzie Drive and Highway No. 50. Policies have been included in the amendment which require that both matters be addressed.

4. Emerging Opportunities in the West Vaughan Area

On June 22, 1998 Vaughan Council gave direction to undertake the City of Vaughan Employment Area (OPA No. 450) Review to update the City's Employment Land Needs to the years 2021 and 2026 (File 15.73). The study would also form the basis for a review of the Regional Official Plan to determine the need to expand the plan's urban boundary to accommodate additional employment uses. The study is being conducted in three phases. The first phase is proceeding in two parts. Phase 1a involves the determination of the required employment lands; and Phase 1b provides for the selection of a route for the Highway No. 427 extension north of Regional Road No. 7 (Highway No. 7). Phase 2 calls for the allocation of the warranted employment lands to specific areas. Two areas of opportunity are to be given priority consideration. These include infill areas within the existing urban envelope and expansion in the West Vaughan Area east of Highway No. 50, north of Langstaff Road. Phase 3 would provide for the implementation of results of the study by way of the preparation of a secondary plan or site specific amendments to the official plan.

Phase 1a of the study has been completed. In order for the City to maintain a minimum twenty year supply of land, it will be necessary to designate approximately 2,000 acres of employment land. When applied to the West Vaughan Area (minus the intermodal yard), the warranted area would result in expansion of the urban boundary from Langstaff Road to Major Mackenzie Drive west of Highway No. 27. It would also place the intermodal yard and the subject lands within the long term urban envelope. Therefore, in the broad policy context, the redesignation of these lands is supportable in the sense that it would be consistent with demonstrated long term need and on the basis that it constitutes infilling around an existing use.

5. Servicing

The amendment provides that all development shall occur on the basis of full municipal services. Should full municipal services not be available, any alternative servicing measures shall only be permitted with the approval of the Regional Municipality of York, the City of Vaughan and any other pertinent authorities, subject to the execution of any agreement or the fulfillment of any conditions financial or otherwise as may be imposed by any such authority. Stormwater management measures shall be to the satisfaction of the City of Vaughan and the Toronto Region Conservation Authority.

6. <u>Transportation and Traffic</u>

DS-Lea Associates Ltd. has completed a traffic impact assessment of the proposed CP Distribution/Warehousing facility, dated October 1998.

The study concludes that the following road improvements will be required to accommodate increases in background traffic caused by traffic growth on Highway 50 and Rutherford Road, and from the expansion of the intermodal terminal:

- Two basic through lanes in each direction on Rutherford Road.
- Two basic through lanes in each direction on Castlemore Road.
- A third northbound through lane (combined with right turns) on Highway 50 through the Intersection.
- iv) A westbound double left turn lane on Rutherford Road.

In order to adequately service the CP Distribution/Warehousing facility, the study recommends that a signalized access be provided on Highway 50 between Major Mackenzie Drive and Rutherford Road.

Prior to any development proceeding, the land owner and the pertinent road authority(ies) will have determined the measures needed and their respective responsibilities, fiscal and otherwise, to implement the above or determined necessary road improvements.

7. Environmental Review

To assess the environmental impacts of the proposal, an "Environmental Features Study" was prepared in October 1998 by the consulting firm Hough Woodland Naylor Dance Leinster Limited, in collaboration with plant ecologist, Dan Gregory.

The study area encompassed the entire block bounded by Highway No. 50 on the west, Huntington Road on the east, Rutherford Road on the south and Major Mackenzie Drive on the north. The purpose of the study was to assess how the proposed development along Highway 50 might impact on the natural features. The review included an analysis of vegetation, wildlife and wildlife habitat, and fish and fish habitat. The tollowing conclusions were drawn:

<u>Vegetation</u>: a comprehensive inventory of vegetation on the site and in the block concluded that the predominant agricultural use of the site does not include any significant plant species;

Wildlife and Wildlife Habitat: the open cultivated fields and limited vegetation cover does not provide the conditions necessary to support many native resident or migratory animals.

Fish and Fish Habitat: the study assessed the 3 main tributaries in the block. One tributary (Robinson Creek) passes through the north-east corner of the block and has been identified as an intermediate warm water fisheries habitat. The report indicated that development would need to be set back from the clearly defined valley of Robinson Creek. This feature is not, however, in the proposed development site. The other tributaries are intermittent drainage channels which are often ploughed and cultivated. One of the intermittent channels is on the south end of the block. The other consists of three branches which enter onto the proposed development site at the north west corner of the block. The three branches combine into a single channel, which is diverted around the intermittent channels before returning to a more natural intermittent watercourse. While the intermittent channels do not provide for any significant fish habitat, the report indicated that appropriate storm water management techniques will be needed to prevent any impact upon downstream watercourses resulting from the development.

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The Toronto Region Conservation Authority has indicated that it has no objections to the proposed land use change, because the site is not in or adjacent to any significant natural feature. A subsequent letter also confirmed that storm water management techniques, through an appropriate number and size of ponds, will be required to maintain the quality and quantity of the baseflow water supply. Any further requirements of TROA will be resolved at the site plan application stage.

DETAILS OF THE ACTUAL AMENDMENT AND POLICIES RELATIVE THERETO V

- Amendment No. 450 to the Official Plan of the City of Vaughan Planning Area is hereby amended 1. by:
 - Deleting Schedules "2" and "2A" of Amendment No. 450 and substituting therefor the Schedules "2" and "2A", attached hereto as Schedules "2" and "3" respectively, thereby a) redesignating the lands shown as "Subject to Paragraph 9.3 of Schedule "9" to OPA No. 450" on Schedule "2" and "3" hereto from "Railway Facilities" to "Prestige Area" in the manner shown on the said Schedules.
 - Adding to Schedule "9" in accordance with Part C, Section 3.3, "Site Specific Policies" the b) following Paragraph 9.3 and Schedule 9.3 (A), which form Schedule 1 to this amendment:

IMPLEMENTATION VI

It is intended that the policies of the Official Plan of the Vaughan Planning area pertaining to the subject lands shall be implemented by way of an amendment to the Vaughan Zoning By-law and site plan approval, pursuant to the Planning Act. Prior to occupancy, The Region of York and The Region of Peel shall have executed an agreement for the provision of municipal water supply and sewage treatment for the development proposed by CP Rail.

INTERPRETATION VII

The provisions of the Official Plan of the Vaughan Planning Area as amended from time to time regarding the interpretation of the plan apply with respect to this Amendment.

SCHEDULE 'I'

Paragraph 9.3

Date of Adoption:

Amendment No. 509 to the Official Plan of the City of Vaughan Planning Area, which adds Paragraph 9.3 to Schedule *9* of OPA No. 450, was adopted by Vaughan Council on March 22, 1999.

Date of Approval:

Amendment No. 509 to the Official Plan of the City of Vaughan Planning Area which adds Paragraph 9.3 to Section "9" of OPA No. 450 was approved by the Regional Municipality of York, and came into force on May 6, 1999.

Nature of Exception:

"Employment Area General" designation of OPA No. 450, notwithstanding that the subject lands are designated "Prestige Area"; prohibit outdoor storage of goods and materials (not including trucks and truck trailers) adjacent to a street; prohibiting a waste transfer station; and providing site specific policies regarding the provision of landscaping and screening adjacent to Major Mackenzie Drive, Highway No. 50 and Rutherford Road.

Location:

West part of Lots 16-20 inclusive, Concession 10 in the City of Vaughan, fronting on the east side of Highway No. 50 between Rutherford Road on the south and Major Mackenzie Drive on the north.

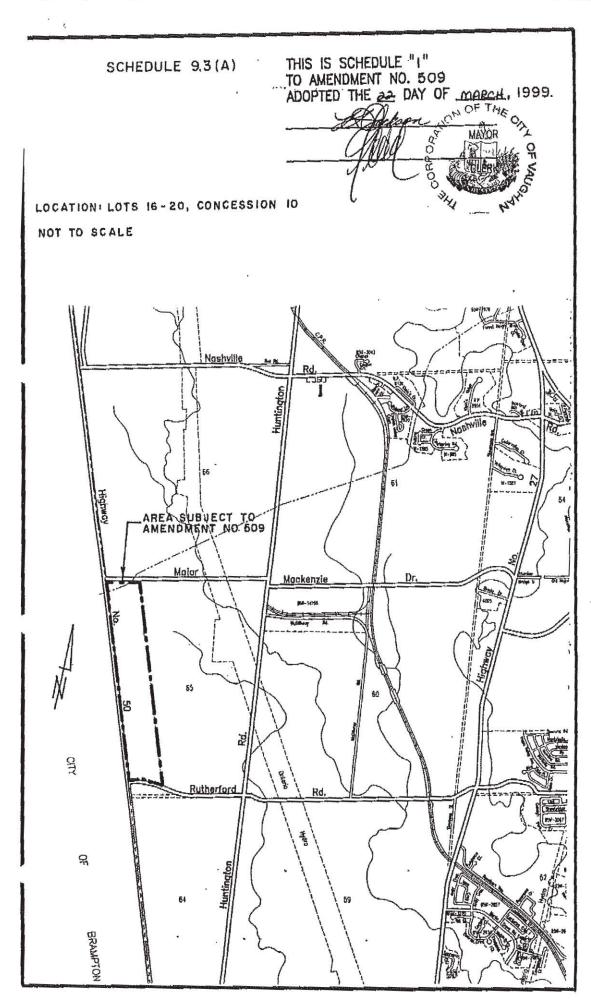
Site Specific Policies

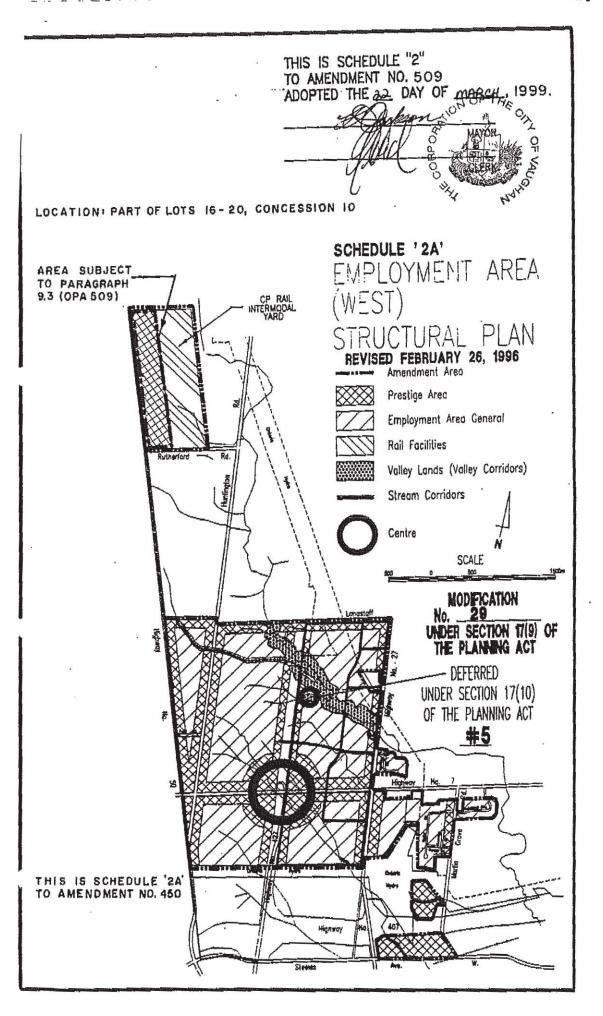
- Notwithstanding Section 2.2.3 "Prestige Areas", the lands shown as "Subject Lands" on Schedule 9.3(A) shall be subject to the following policies:
 - Development shall be in accordance with the policies of Section 2.2.4 "Employment Area General";
 - Outdoor storage of goods and materials, shall not be permitted adjacent to a street;
 trailer parking shall not be considered outside storage;

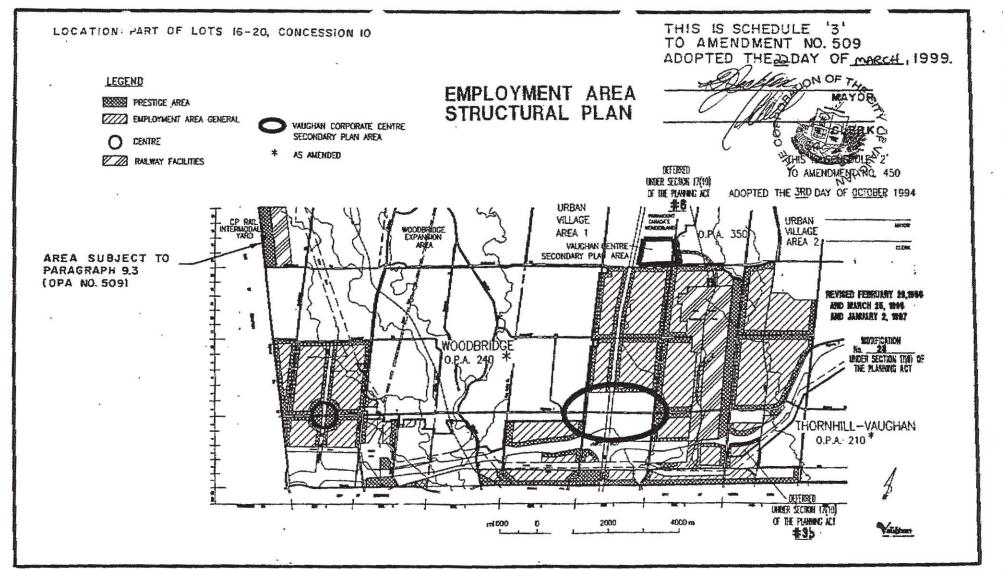
P. 12 D/D

- A waste transfer station shall not be permitted; d)
- In recognition of the subject lands' "Prestige Area" designation, the following will e) be required prior to the execution of the first site plan agreement affecting the subject lands:
 - A master landscaping/urban design plan for the subject lands in their 1) entirety shall be submitted and approved by the City of Vaughan. The plan will be implemented through individual site plan applications as development occurs;
 - The plan will foster the creation of attractive streetscapes on the Highway (1) No. 50, Rutherford Road and Major Mackenzie Drive frontages;
 - Design emphasis will be placed on: The screening of buildings and loading (11) areas; developing gateway focal points at the intersections of Rutherford Road and Highway No. 50, Major Mackenzie Drive and Highway No. 50 and at a future signalized access to Highway No. 50 between Rutherford Road and Major Mackenzie Drive; and the provision of distinctive and attractive signage;
 - A generous landscaped strip and berming will be required adjacent to all (V) public roads;
 - Submission requirements for the master landscaping/urban design plan V) shall include but not be limited to:

- a conceptual landscape plan;
- cross sections demonstrating the adequacy of screening measures from public roads;
- the location and conceptual design of entrance and gateway features and guidelines for the style and location of corporate signage;
- lighting treatment.
- vi) The master landscaping/urban design plan shall be implemented through the subsequent site plan agreement.
- f) All development shall occur on the basis of full municipal services. Should full municipal services not be immediately available, any alternative servicing measures shall only be permitted with the approval of the Regional Municipality of York, the City of Vaughan and any other pertinent authorities, subject to the execution of any agreement or the fulfillment of any conditions, financial or otherwise, as may be imposed by any such authority.
- g) That prior to development occurring, the owner and the pertinent road authorities shall have determined the measures needed and their respective responsibilities, financial and otherwise, to implement the necessary road improvements. The implementing site plan agreement shall provide that occupancy, if necessary, shall not occur until the necessary road improvements have been put in place or such improvements have been secured by agreement(s) with the affected road authority to their satisfaction.







APPENDIX I

The lands subject to this Official Plan Amendment are located on the east side of Highway No. 50, between Rutherford Road and on south and Major Mackenzie Drive on the north. The subject lands have an area of approximately 50 hectares, and are composed of the westerly portions of Lots 16 to 20 inclusive in the City of Vaughan.

An application to amend the Official Plan were considered at a Public Hearing on November 2, 1998. The recommendation of the Committee of the Whole Public Hearing, to receive the public hearing and forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on November 9, 1998.

On February 15, 1999, the Committee of the Whole recommended that Official Plan Amendment Application File OP.98.20 (Canadian Pacific Railway) BE APPROVED, which was ratified by Council on February 22, 1999 (Item 20, Report 16). Vaughan Council also requested: "That the Region of York and Region of Peel BE ADVISED that the City of Vaughan supports an agreement between the two Regional Municipalities which would provide for the servicing of the subject lands through connections to the Region of Peel's Sanitary Sewer and Municipal Water Systems".

APPENDIX I

EXISTING LAND USE

OFFICIAL PLAN AMENDMENT NO. 509 CITY OF VAUGHAN

LOCATION: PART OF LOTS 16 - 20, CONCESSION 10 DATE: 99/02/24 LEGEND AGRICULTURAL CONCESSION 107 101 5 ş AREA SUBJECT TO AMENDMENT NO. 509 TOT

CONCESSION

CP Rail

THE CORPORATION OF THE CITY OF VAUGHAN

IN THE MATTER OF Section 34, Subsections (18) and (19) of the Planning Act, R.S.O. 1990, c.P.13

I, JOHN D. LEACH, of the Town of Caledon, in the Regional Municipality of Peel, make oath and say:

- THAT I am the City Clerk of the Corporation of the City of Vaughan and as such, have knowledge of the matters hereinafter deposed to.
- THAT:By-law-Number:88:99 was passed by the Council of the Corporation of the City of Vaughan on the 22nd day of March, 1999, and written notice was given on the 25th day of March, 1999 in the manner and form and to the persons prescribed in Regulation 199/96.
- THAT no notice of appeal setting out an objection to By-law 88-99 was filed with me within twenty (20) days from the date of written notice of the passing of the by-law.
- THAT By-law Number 88-99 is deemed to have come into effect on the 6th day of May, 1999.

SWORN BEFORE ME In the City of Vaughan, in the Regional Municipality of York, this 13th day of May, 1999.

JOHN DILEACH

A Commissioner, etc.

LENORE PROVIDENCE
a Commissioner, etc.,
Regional Municipality of York, for
The Corporation of The City of Vaughtin.
Expires February 10, 2001

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 88-99

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

WHEREAS the matters herein set out are not 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 an amendment to the Official Plan adopted by Council and not approved at this time with which the matters herein set out are in conformity;

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

- That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:
 - Rezoning the lands shown as "Subject Lands" on Schedule "1" attached hereto, from A
 Agricultural Zone to EM1 Prestige Employment Area Zone, in the manner shown on the said
 Schedule "1".
 - b) Adding the following paragraph to "EXCEPTIONS" Section 9.0:

"(1040) Notwithstanding the provisions of:

- a) Subsection 3.8 (a) respecting parking requirements;
- Subsections 3.8 (k) and 3.9 (c) respecting the surface of all loading spaces and related driveways, parking spaces and maneuvering areas:
- c) Subsection 3.9 (d) respecting loading space requirements;
- Subsection 6.1.6 (a), (b) and (c) respecting minimum landscaping requirements in Employment Area Zones;
- e) Subsection 6.2.1 respecting uses permitted in the EM1 Zone;
 The following provisions shall apply to that portion of the "Subject Lands" shown as "Part 1" and "Part 5" on Schedule "E-1137":
- al) The greater of either a minimum of 642 parking spaces, or 1 parking space per 150 sq. m GFA shall be provided.
- bi) Gravel surface areas and related driveways, parking spaces and maneuvering areas shall be permitted only in areas located a minimum of 190m from Highway No. 50 (Peel Regional Road 24) and a minimum of 14 m from Rutherford Road.

-2-

The following provisions shall apply to the entirety of the lands shown as "Subject Lands" on Schedule "E-1137":

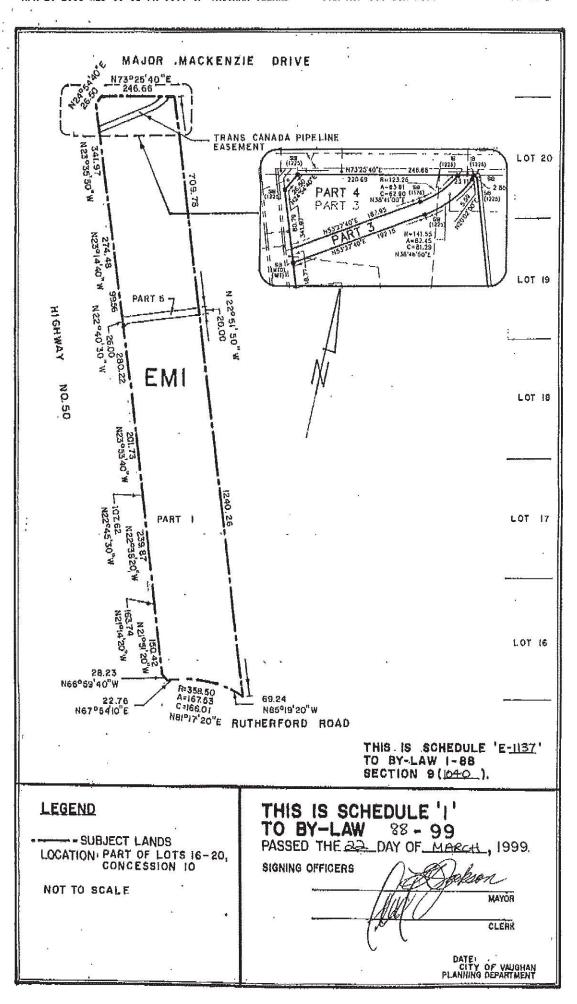
- Loading spaces and associated queuing areas shall be permitted in yards abutting a street.
- di) A strip of land not less than 12 m in width shall be provided along a street line of a public highway and a regional road; and shall be used for no other purpose than landscaping. This shall not prevent the provision of access driveways across the said strip.
- ei) The following uses shall only be permitted on the Subject Lands;
 - Employment Use
 - Truck Terminal
 - Warehouse
 - Uses Accessory to a Truck Terminal: trailer repair maintenance, gatehouses, weight scales, pumping houses, facilities for fire protection and facilities for fuel tanks
 - Office Uses Accessory to an Employment Use
 - Business and Professional Offices, not including medical practitioners
 - Office Building
 - Service and Repair Shop
- eth Buildings or structures, parking areas or storm water management facilities shall not be permitted within 10 m of the TransCanada Pipeline easement shown on Schedule "E-1137".
- eili) Outside storage shall not be permitted between a building and a street; trailer parking shall not be considered outside storage."
- c) Adding Schedule "E-1137" attached hereto as Schedule "1".
- d) Deleting Key Map 10D and substituting therefore with the Key Map 10D attached hereto as Schedule
 "2".
- Schedules "1" and "2" shall be and hereby form part of this by-law.

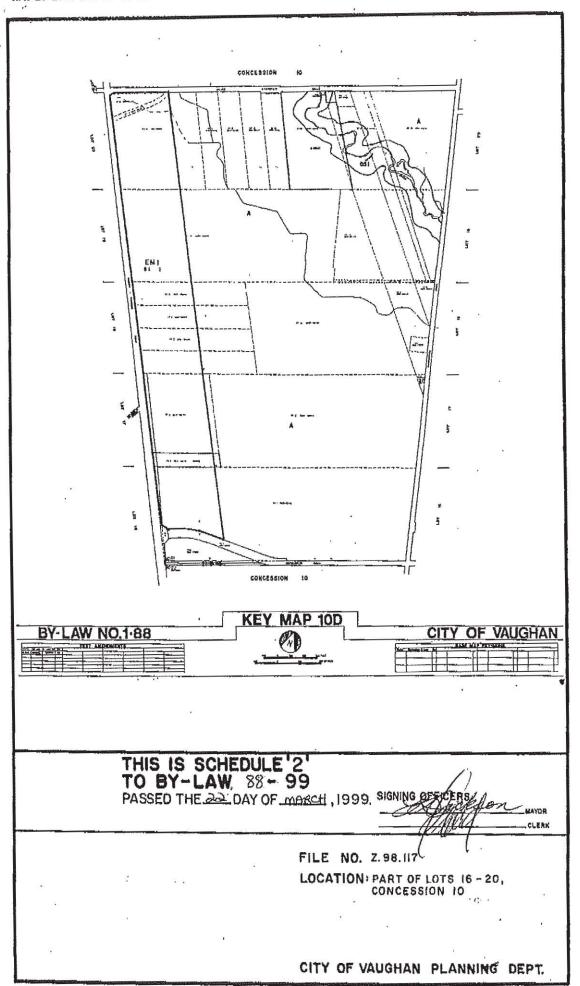
- 3 -

READ a FIRST, SECOND and THIRD time and finally passed this 22nd day of March, 1999.

L. D. Jackson, Mayor

J. D. Leach, City Clerk



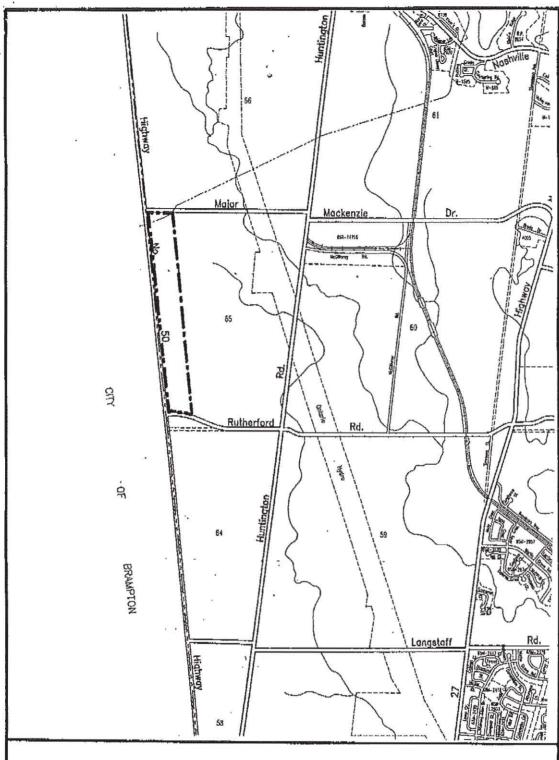


SUMMARY TO BY-LAW 88-99

The lands affected by this by-law are located on the east side of Highway 50 (Peel Regional Road 24), between Rutherford Road and Major Mackenzle Drive, in Lots 16 to 20, Concession 10, City of Vaughan.

The purpose of this by-law is to amend City of Vaughan Comprehensive Zoning By-law 1-88 by rezoning the subject lands from A Agricultural Zone to EM1 Prestige Employment Area Zone.

The By-law also provides exceptions to the EM1 Zone with respect to: uses permitted, queuing areas for the loading/unloading trucks adjacent to Highway No. 50, Major Mackenzie Drive and Rutherford Road, permitting trailer parking, a reduction of parking spaces required for a portion of the subject lends, permitting specific areas for loading in gravel areas and requiring a minimum 12m wide landscape strip along Highway No. 50, Major Mackenzie Drive and Rutherford Road.



LOCATION MAP BY - LAW NO. 88 - 99

FILE NO. 2.98.117



SUBJECT LANDS



LOCATION: PART OF LOTS 10-20, CONCESSION 10

SCALE: 500 0 500 1000 metre

CITY OF VAUGHAN PLANNING DEPT.



Toronto City Hall 100 Queen Street West 12th Floor, East Tower Toronto ON M5H 2N2 **Tei:** (416) 392-8772 **Fax:** (416) 392-8115

Refer to: Peter Moore at (416) 392-8806

E-mail: pmoore@toronto.ca www.toronto.ca/planning

November 26, 2010

Bryan Tuckey Commissioner of Planning and Development Services Regional Municipality of York 17250 Yonge Street Newmarket, Ontario L3Y 6Z1



Dear Mr Tuckey.

Re: City of Vaughan Official Plan and Yonge Steeles Corridor Secondary Plan

Toronto's City Planning Division has received your request for comments on the Vaughan Official Plan and the Yonge Steeles Corridor Secondary Plan.

We support the long term objectives of the Official Plan and the Secondary Plan, particularly to accommodate transit based intensification in the Yonge and Steeles Corridors. It is consistent with the Growth Plan for the Greater Golden Horseshoe, the recently - adopted York Region Plan, and indeed with the City of Toronto's Official Plan. Our concerns are with how we get there.

We recognize that the Plan provides for phasing of development and generally requires that the adequacy of services, including transit, be an important consideration in approving and phasing development. We are concerned, however, that the Secondary Plan needs a stronger approach to ensuring that development will be supported by adequate transit and road infrastructure and other community services.

City Planning staff are concerned with the approach to phasing in Policy 8.6 of the Secondary Plan, which would appear to provide that:

- Transit/transportation and service requirements will be decided ('identified and provided') application by application: i.e. both what is needed ('identified') and what should be in place at the time of development ('provided') will be decided iteratively; and
- the overall transit/transportation and service requirements for both the initial development and final build-out of the Plan will only be identified when the Vaughan Master Transportation Plan and other servicing plans are finalized.

This seems contradictory. The application-by-application approach implies that you can build part of a transit/transportation system to serve one development, and some more of the system to serve the next development; while the overall requirements approach implies that you need to know

transit/transportation needs for various levels of development when the Secondary plan comes into effect, or at least well in advance of most of the development.

We have asked Vaughan staff for clarification of the policy but none has been forthcoming.

We would suggest consideration of an approach whereby the overall transit/transportation requirements were known before the Secondary Plan comes into effect; or alternatively an approach that specified densities or amounts of development that would be permitted for different levels of transit provision (e.g. present transit, bus rapid transit, subway), and for additional elements in the road network.

At present, City of Toronto staff cannot assess the transportation / transit requirements of the development provided for in the Secondary Plan, because we have not seen any transportation studies done as part of the Secondary Plan's development. Furthermore, we do not have any indication of 'final conclusions and recommendations' of the Transportation Master Plan. We would prefer to know what these 'final conclusions and recommendations' are before we finalize our position on this matter.

We would be happy to discuss these concerns with you and Vaughan staff. Please call Peter Moore at 416-392-8806 to set up a meeting to discuss our comments in greater detail.

Yours truly,

Gary Wright.

Chief Planner and Executive Director

City Planning Division

Cc:

Augustine Ko, York Region Planning and Development John Zipay, Commissioner of Planning, City of Vaughan Diana Birchall, Director of Policy Planning, City of Vaughan Tom Keefe, Director of Community Planning - North York District Rod McPhail, Director of Transportation Planning Kerri Voumvakis, Acting Director of Policy and Research Paul Byrne, Manager of Community Planning - North York District Victoria Witkowski, Program Manger, Transportation Planning

WESTON CONSULTING GROUP INC. 'Land Use Planning Through Experience and Innovation'

November 29, 2010 File No. 4998

The Regional Municipality of York **Planning Department** 17250 Yonge St. 4th Floor Newmarket, Ontario L3Y 6Z1

ATTENTION: Mr. Bryan Tuckey, Commissioner of Planning and Development

Services

Dear Sir.

Re: City of Vaughan Official Plan (City of Vaughan By-law 235-2010)

Centre Street Corridor 1152 Centre Street City of Vaughan

Weston Consulting Group Inc. is the planning consultant for Perls Incorporated, the owner of 1152 Centre Street in the City of Vaughan. This property is 8374 square metres in area and is presently vacant. It is located northeast of the intersection of Centre Street and Vaughan Boulevard, between Dufferin Street and Bathurst Street.

Overview

The subject property is surrounded by a mixture of land uses, including residential uses to the north, office commercial and residential uses to the west and south and a retail/ commercial plaza to the east. The property has frontage on Centre Street, which has been identified as a "Regional Corridor" based on the Region of York Official Plan ("Regional Plan") and is to accommodate higher order transit service as part of the Region's Highway 7 Transit Corridor.

Our client has an interest in developing the property and we have been monitoring the City of Vaughan Official Plan ("City Plan") review process on their behalf to ensure that an appropriate policy framework is developed to facilitate the development of the property.

WCGI made written submissions to the City of Vaughan on February 5, 2010 and June 14, 2010 (copies attached). WCGI also made deputations at the Public Meeting and Special Committee of the Whole meeting on July 28, 2010. We have also had several discussions with City of Vaughan Planning Staff concerning the proposed City Plan.

As you are aware, the City of Vaughan adopted their new Plan on September 7, 2010. We believe that the policy framework, as proposed in the adopted Plan would result in an

Since 1981

Vaughan Office:

201 Millway Avenue, Unit 19, Vaughan, Ontario, L4K 5K8

Tel. 905-738-8080

Oakville Office:

1660 North Service Road East, Suite 114.

Oakville, Ontario, L6H 7G3

Tel. 905-844-8749

underutilization of the subject property and would not support the intended future transit and intensification objectives for this area.

This submission is provided in relation to the adopted City Plan. It identifies our client's concerns with respect to the adopted Plan and proposes a number of modifications to the Plan.

Existing Policy Framework

The subject property is designated "General Commercial" under the City of Vaughan OPA 672 and is within the "Centre Street Spine" as outlined in the Thornhill Centre Street Study. An existing site specific official plan amendment (OPA #410) applies to the property, which contains a series of site specific policies that govern the development of the lands (see attached). These policies do not permit residential uses and permit densities to a maximum of 0.8 F.S.I. The property is zoned Restricted Commercial-C1 in City of Vaughan Zoning By-law 1-88 and is subject to site specific zoning regulations, which prescribe building envelopes, heights, densities, parking standards and specific commercial retail uses. In our opinion, the existing policy framework is outdated and does not provide the opportunity for an effective utilization of the subject property.

City of Vaughan Official Plan Process

The "Where and How to Grow" study was undertaken by the City of Vaughan as part of the City Plan review process. This document provided a detailed analysis as to how the City was to meet its 2031 population and employment targets as outlined in the Growth Plan. The report highlighted Centre Street, between Dufferin and Bathurst Street, as a priority opportunity area for mixed-use intensification. The document projects the entire Centre Street area to accommodate 5,036 new units and 10,575 new people. The document specifically projects the north side of Centre Street between Concord Road and New Westminster Drive to intensify by an additional 974 units and 2,009 people.

Volume 1 of the City Plan was released on April 19, 2010 and contained City-wide policies. Schedule 13-T of Volume 1 (attached) designated the subject property "Mid-Rise Mixed Use" and prescribed a height of 8 storeys and a density of 2.5 F.S.I. Centre Street was also identified as a "Primary Intensification Corridor", which are areas that are to provide transit supportive densities and a mix of housing types. Our client was generally supportive of these proposed policies.

Volume 2 of the City Plan was first released in May 2010 and was revised in August 2010. Volume 2 contains Secondary Plans and Site and Area Specific Policies. The August 2010 version of Volume 2 identified the property within the "Centre Street Corridor", and relied on policies in OPA 672 and OPA 410 (ie. General Commercial designation). The policy framework also indicated that the Centre Street Corridor policies in Volume 2 would prevail over Volume 1 policies. The Volume 1 Schedules were to be updated in order to be consistent with Volume 2 Schedules. To that end, the adopted version of Volume 1 of the

City Plan provides a "Commercial Mixed Use" designation for the subject property, consistent with Volume 2 of the City Plan. The adopted Volume 2 policies provides a policy framework that relies upon the policies of OPA 672 and OPA 410 and identifies the subject property with a "Commercial Mixed-use B" designation (attached).

As part of the adopted City Plan, Council approved the following recommendation concerning the block between Vaughan Boulevard and New Westminster Drive.

"That staff be instructed to conduct a study of the area on the north side of Centre Street between New Westminster and Vaughan Boulevard to consider its appropriate designation for intensification."

Summary of Concerns

In our opinion, the policies in the adopted City Plan do not represent an appropriate policy framework for the subject property. The City Plan policies do not support key policies in the Regional Plan, which are discussed below. Furthermore, the Volume 2 policies of the City Plan do not support other policies in Volume 1 of the Plan, particularly those concerning intensification, mixed use development, and transit supportive development.

Density Targets

The City Plan policies in OPA 672 and OPA 410 do not support the Region's density targets for the Centre Street Corridor. City Plan Policy 12.10 permits a maximum density of 0.8 FSI, whereas the Regional Plan density targets are an average of 2.5 FSI for Regional Corridors. The Regional Plan also encourages medium and high density uses to be located on transit corridors. A density maximum of 0.8 FSI for the subject property would not support this policy.

Residential Permissions

The City Plan policies do not permit residential development on the subject lands or adjoining lands along the Centre Street Corridor. This restriction will limit the intensification opportunities for the area. It is recognized that the incorporation of residential uses into redevelopment sites are often necessary to facilitate intensification. Furthermore, the absence of residential growth through intensification along this corridor will reduce the City's residential intensification capacity. Volume 1 policies in the City Plan indicate that Primary Intensification Corridors shall develop with a mix of housing types and tenures. The absence of residential use permissions as a result of Volume 2 policies does not support these policies.

Transit Supportive Development

In our opinion, the City Plan policies concerning density, height and land-use permissions are not transit supportive. The proposed policy framework would not support the YRTP

Transportation Plan that envisions rapid bus transit along the Centre Street corridor between Bathurst Street and Dufferin Street.

Key Development Areas

Key development areas, according to the Regional Plan, are to include lands that can accommodate the most intensive and widest range of uses within Regional Corridors. In our opinion, the subject property should be considered a key development area. The City Plan policies, as adopted, do not support the consideration of the subject lands as a key development area, which is not appropriate.

Council Resolution – Further Study of Area

As noted above, City Council adopted a resolution to direct Staff to conduct a further study of the area on the north side of Centre Street between New Westminster Drive and Vaughan Boulevard to consider its appropriate designation for intensification. In our opinion, sufficient study of the area has already been completed and we suggest that a further study of the area for the purposes of identifying intensification opportunities is not necessary. The April 19, 2010 version of Volume 1 of the City Plan identified a suitable policy framework that recognized intensification opportunities.

Proposed Modifications

We request that the Region consider the following modifications to the City Plan in relation to the designation and policies for the subject property.

Modification #1 – Volume 2 Map

We request that Map 12.10.A Centre Street Corridor be revised to identify the subject property with a Mid-Rise Mixed Use land use designation with a height of 8 storeys and a density of 2.5 FSI.

In our opinion, a Mid-Rise Mixed Use designation for the subject property is appropriate and would permit the development of the property for both residential and commercial uses in mixed use format. It would also facilitate densities and heights on the subject property that would be transit supportive, consistent with the Regional Plan policies for Regional Corridors.

Modification #2 - Volume 2 Policies

We request that Section 12.10.5.1 be revised to remove the subject lands (ie. 1152 Centre Street) from the lands listed in the section, such that none of the provisions of 12.10.5.1 would apply to the subject property.

The provisions of Section 12.10.5.1 are based on OPA 410. In our opinion, these policies do not provide appropriate densities, use permissions, or development policies for the lands and do not adequately support intensification, the efficient use of land and transit supportive densities.

Modification #3 Volume 1 Schedules

We request that Schedule 13 and Schedule 13T of Volume 1 of the City Plan be revised to identify the subject property with a Mid-Rise Mixed Use designation, consistent with the modifications noted above.

The proposed modifications are based on the concept that the applicable policies for the subject property would be those in Section 9.2.2.4 of Volume 1 of the City Plan.

Although our comments are provided specifically in relation to the subject property, we suggest that the Region consider a similar approach to modifications for other areas of the Centre Street Corridor, including other land holdings between Vaughan Boulevard and New Westminister Drive.

Summary

The policy framework for the subject property as outlined in the City Plan is not acceptable to our client. It does not provide an opportunity for the redevelopment of the subject property in a manner that supports Regional Plan policies and Provincial polices. The policy framework as proposed would result in an underutilization of the subject property and would not support investments in transit and overall intensification objectives for the area.

WCGI hereby formally requests notice from the Region as to modifications and decisions relating to the City of Vaughan Official Plan.

We note that there is support from City Council, as expressed through the Council resolution, to recognize appropriate changes to the policies for this area through the Region's modification process. We would be pleased to discuss this matter with the Region and City at the appropriate time to resolve our client's concerns. We believe there are compelling planning reasons to see this matter resolved without the need for a formal objection to the City's Official Plan. We reserve the right to provide further comments and proposed modifications in the future.

Should you have any questions, please contact Jane McFarlane (ext.225) or the undersigned.

Yours truly,

Weston Consulting Group Inc.

Per:

Ryan Guetter, BES, MCIP, RPP

Associate

Cc: E. Reichman, Perls Incorporated

P. Edward, Rady-Penkek & Edward Surveying Ltd.

J. Zipay, City of Vaughan

G. Uyeyama, City of Vaughan

M. Peverini, City of Vaughan (letter only)

D. Birchall, City of Vaughan

C. Marrelli, City of Vaughan (letter only)

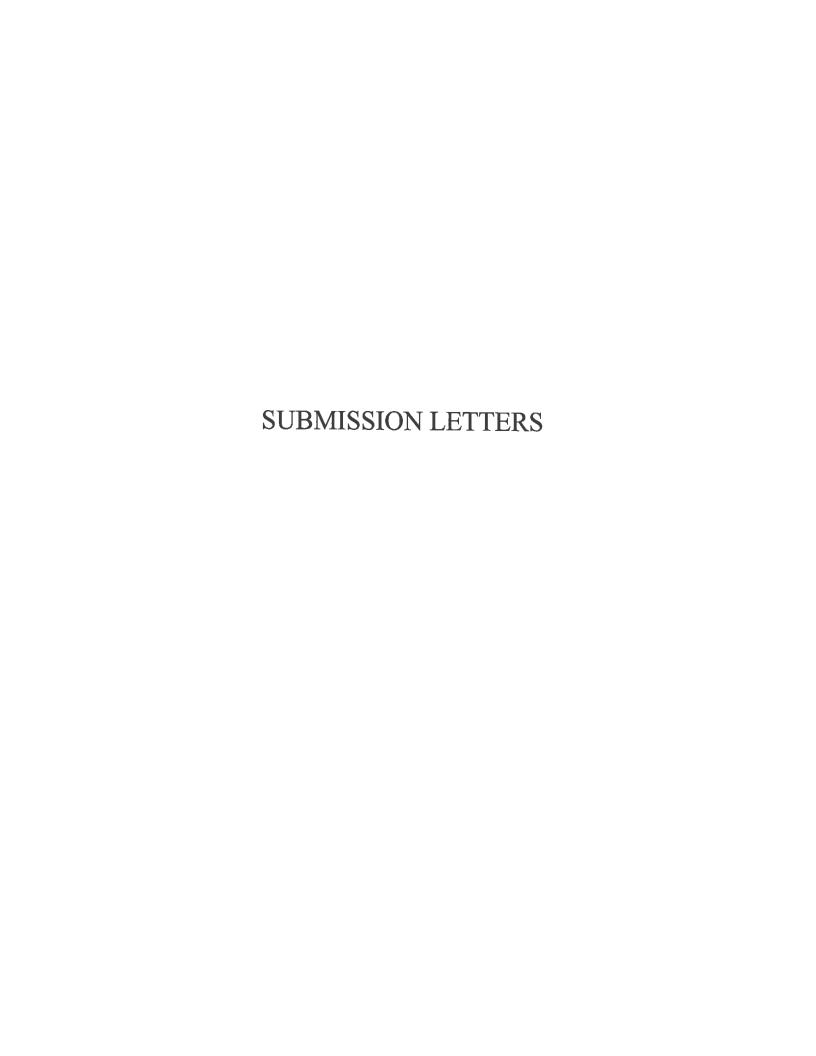
M. Rossi, City of Vaughan (letter only)

H. Konefat, Region of York (letter only)

A. Ko, Region of York

P. Weston, WCGI (letter only)

Encls.





'Land Use Planning Through Experience and Innovation'

February 5, 2010 File No. 4998

City of Vaughan 2141 Major Mackenzie Drive Vaughan, Ontario M6L 2G9

ATTENTION: Paul Robinson

Re: City of Vaughan Official Plan Review

Proposed Mixed Use Development

1152 Centre Street City of Vaughan

Weston Consulting Group Inc. (WCGI) is the planning consultant for Perls Incorporated, the owner of 1152 Centre Street in the City of Vaughan. This 8374 sq. m property is presently vacant and is located northeast of the intersection of Centre Street and Vaughan Boulevard (between Dufferin Street and Bathurst Street) in the City of Vaughan (refer to attached air photograph). The subject property is surrounded by a mixture of land uses, including residential uses to the north, office commercial and residential uses to the west and south and a retail/ commercial plaza to the east. The property fronts onto Centre Street, which has been identified as a "Regional Corridor" according to the Region of York Official Plan and is to accommodate higher order transit service as part of the Region's Highway 7 Transit Corridor.

The site is designated "General Commercial" under City of Vaughan OPA 672 and is within the "Centre Street Spine" as outlined in the Thornhill Centre Street Study. An existing site specific OPA #410 applies to the site, which contains a series of site specific policies that govern the development of the land. The site is zoned Restricted Commercial (C1) in the City of Vaughan Zoning Bylaw 1-88 and is also subject to site specific zoning provisions.

The owners have plans to develop the subject property and are in the midst of developing concepts that will form the basis of planning applications that will be submitted in the future. As you may be aware, the subject property is one of the last remaining vacant parcels in the area and is considered to be a key development site, with opportunities for intensification. We

are of the opinion that there is the potential for a greater intensification of the site than what is envisioned by the existing official plan and zoning by-law permissions.

The new Regional Official Plan, which has now been adopted by Regional Council, identifies the site as being along a "Regional Corridor". Regional Corridors are intended to support mixed-use, transit supportive development that is to accommodate intensification within key development areas. The Regional Corridor policies also include an overall long-term density target of 2.5 FSI for developable areas.

In the context of the City's Official Plan review, information provided at the November 18, 2009 Open House indicated that the site is situated on a "Primary Intensification Corridor" and is part of a "Mid Rise Residential Mixed Use" area.

On behalf of the owner, we offer the following comments with respect to the City's Official Plan review process as it pertains to the site.

- 1. We support the incorporation of both residential and commercial use permissions for the subject site. Ensuring the greatest degree of flexibility in the permitted uses, particularly in terms of commercial uses, will provide opportunities to achieve a more diverse development and will facilitate a broader market exposure to prospective commercial uses.
- 2. In relation to the above point, we suggest that there be sufficient flexibility in terms of the mixed-use permissions. In particular, we do not support policies that would require a minimum amount of a certain type of use (ie. commercial or residential) to be incorporated as part of a development. Such a policy, if it is introduced, does not provide sufficient flexibility insofar as the configuration and distribution of land uses within a development and may not respond to changes in market conditions or demand for certain housing types or commercial uses.
- 3. We support the inclusion of seniors housing and assisted living permissions within the proposed designation for the subject site.
- 4. We are in support of the Region's density target of 2.5 FSI along Regional Corridors and suggest that the City incorporate the same density target for this corridor. We also recommend that the City's official plan policies contain provisions that acknowledge that in certain areas it may be appropriate to have densities higher than 2.5 FSI, particularly, where the proposed development is compatible with adjoining land uses. This kind of policy may be appropriate to incorporate in areas where there is a planned transit stop or where the development parcel is of a sufficient size to create a transition from the corridor to adjoining stable residential areas.
- 5. We recognize the need to balance the achievement of intensification along Regional Corridors with the need to ensure compatibility with adjacent stable residential areas. Accordingly, we suggest that the policies concerning height and density for the proposed

designation be considered in the context of the realistic achievement of the target densities. It must be recognized that the achievement of the City's intensification targets as prescribed by the Growth Plan, hinges upon the successful implementation of intensification. If certain building heights, as prescribed by OPA 672 are maintained or introduced in other areas, the targeted intensification may not be achievable. Furthermore, such restrictions may not support the achievement of transit supportive densities. The matter of building height must be commensurate with permitted densities along Regional Corridors in order to ensure that intensification takes place in the right locations. We suggest that the introduction of other official plan policies in the plan could mitigate the impacts of building heights by ensuring that new developments are compatible with stable built-up areas. An example of such a policy could be the requirement to articulate building façades adjacent to stable residential areas, such that the floor area per storey is reduced as the height of the building increases.

- 6. We support the consideration of the subject site as a key development area according to the Regional Official Plan and suggest that it be identified as such in the City's Official Plan. We support the principle in the Regional Official Plan that states that key development areas are intended to accommodate the most intensive and widest range of uses within Regional Corridors.
- We support the inclusion of policies as part of the proposed designation for the subject lands that would support reduced parking standards for developments along transit corridors.

We continue to monitor the City's Official Plan review process and request that the above comments be considered in the formulation of policies for the proposed land use designation for the subject site. We also request to be notified by the City concerning the release of the draft Official Plan.

Furthermore, we may provide further comments through this process as our client's plans for development advance; however, we would be pleased to discuss these comments with staff in greater detail at the appropriate time.

Should you have any questions, please contact Jane McFarlane, (ext. 225) or the undersigned.

Yours truly,

Weston Consulting Group Inc.

Per:

Ryan Guetter, BES, MCIP, RPP

Absociate

CC.

P. Weston, WCGI

E. Reichman, Perls Incorporated

P. Di Mascio, Urban Strategies

G. Uyeyama, City of Vaughan

City Clerk, City of Vaughan

Encl.





File No: 4998 Sep 09 , 2009 Date Drawn: Drawn By: mh Planner: RĢ Scale: See Scale Bor
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SUBJECT LANDS

Air Photograph from York Region Geomatics, Date of photography: Spring 2007.

1152 CENTRE STREET CITY OF VAUGHAN REGIONAL MUNICIPALITY OF YORK

June 14, 2010 File No. 4998

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

Dear Sir.

Re:

Draft City of Vaughan Official Plan- April 2010

1152 Centre Street File No. OP.25.1

Weston Consulting Group is the planning consultant for Perls Incorporated, the owner of the above noted lands in the City of Vaughan. The following is provided further to our letter dated February 5, 2010 in relation to the City's Official Plan Review process.

Our February 5th correspondence expressed to the City our client's desire to develop the subject property for a mixed-use development that would represent an intensification of the subject property in accordance with the adopted Regional Official Plan and the City's vision for its "Primary Intensification Corridors".

The comments below are supplementary to the comments in our February .5th correspondence and are not intended to duplicate the comments; however, to the extent that the comments in our February 5th correspondence have not been addressed, they remain applicable.

In relation to Volume 1 of the draft Official Plan, we offer the following comments:

- We support the proposed designation of "Mid-Rise Mixed-Use" as identified on Schedule 13-T of the draft Official Plan. We also support the proposed density (2.5 F.S.I) and height (8 storeys) permissions for the subject property as illustrated on Schedule 13-T.
- 2. We support the policies in Section 9.2.2.4, in principle; however offer the following specific comments in relation to Section 9.2.2.4:
 - a. <u>Clause c-</u> The term "other active uses" is not defined. We would like to ensure that the definition encompasses other general uses such as indoor/ outdoor amenity spaces, restaurants, commercial offices, and personal service shops, etc.
 - b. <u>Clause f-</u> We support the permissions for townhouses, stacked townhouses and low-rise buildings, in the Mid-rise Mixed-Use designation in addition to

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mid-rise buildings. Allowing these additional building types on properties that are within 70 metres of an area designated low-rise residential, will provide flexibility in the built form. We note that the subject property falls within 70 metres of an area designated low-rise residential, which would provide the opportunity for mid-rise buildings and those permitted in Section 9.2.2.4. It is our understanding that Policy e) and f) of Section 9.2.2.4, would not preclude a mid-rise building to be constructed within 70 metres of an area designated low-rise residential subject to the provisions of Section 9.2.3.

3. In relation to Section 9.2.3, we have some concerns with the approach to the development criteria as a whole. In our opinion, many of the provisions in this section are too prescriptive for an Official Plan, which is intended to provide policy guidance on the development of lands, not prescriptive requirements. In our opinion, many of these provisions are more appropriately addressed in a zoning by-law regulation or an urban design guideline. We suggest that an alternative approach to the inclusion of these policies be taken, which would include the removal of prescriptive provisions (e.g. building setbacks, separation distances) and replace them with policies that achieve the objectives of compatibility and good urban design.

Section 10.2.1.5. states that where the policies of Volume 1 of the Plan conflict with policies in Volume 2 of this Plan, the Volume 2 policies shall prevail. Section 12.2.10 of Volume 2 applies to the Centre Street Corridor, which includes the subject property. This policy introduces OPA 672 as an applicable policy document for the subject property. OPA 672, which was approved by Council in May 2005, is now proposed to apply to the subject property where it conflicts with the policies of Volume 1. Within the framework of Section 10 of Volume 1 of the Official Plan, OPA 672 would be the detailed policy framework for the subject lands.

OPA 672 amended OPA 210 and OPA 410 (site specific), all of which currently apply to the subject property. This is due to the fact that OPA 672 did not provide a comprehensive amendment to the policies applicable to the property through OPA 210 and OPA 410. In relation to this proposed policy framework that would have the provisions of OPA 672 apply to the subject property, we offer the following comments:

- The provisions for the "General Commercial" designation within OPA 672 are not complete. Although OPA 672 provides a redevelopment framework that broadens the range of uses contemplated for the subject property under OPA 210 and OPA 410, it does not alter the height, use and density provisions found in these amendments.
- 2. OPA 672 is not based on the current planning policy framework and recent Provincial planning policies. The Thornhill Centre Street Study, which was the basis for OPA 672, was initiated in June 2003. The study and the approval of the official plan amendment predate the Growth Plan for the Greater Golden Horseshoe (2006). OPA 672 does not appropriately address this progressive planning policy framework that calls for intensification, redevelopment and transit supportive densities.

- 3. OPA 672 was approved in conformity with the 1994 York Region Official Plan and therefore it does not reflect the recently adopted York Region Official Plan that implements the Growth Plan. Specifically, the policies of OPA 672 do not meet the new "Regional Corridor" policies in the Regional Plan including the density target of 2.5 FSI along key corridors. This framework was developed in accordance with the Growth Plan. If the land use permissions, building heights and densities that exist in OPA 672 were carried forward, the Region's key targets for intensification will not be achieved for this area.
- 4. The provisions of OPA 672 would not allow for residential permissions on the subject property. OPA 672 does not conform to the City's "Where and How to Grow" document, which provided key policy directions for the redevelopment of the subject property for residential uses at transit supportive densities. This document also identifies the subject property as being one of the remaining vacant parcels of land that is well-suited to accommodate residential intensification for the Centre Street Corridor.

We request that the OPA 672 not be inserted into Volume 2 of the Official Plan. In our opinion the policies of OPA 672, OPA 210 and OPA 410, as applicable, should not apply to the subject property. In our opinion, the planning policies in Volume 1 of the new Official Plan are more appropriate than those in OPA 672, OPA 210 and OPA 410. We request that Volume 1 apply exclusively to the subject property, except where we have noted specific concerns. Should it be determined that certain policies from OPA 672 are relevant and appropriate, they could be added to the provisions of Volume 1 or identified as site specific provisions for certain lands.

We request that the above comments be considered by Staff and Council in the formulation of the City's new Official Plan. We thank you for the opportunity to provide these comments. We wish to be notified of any further meetings or decisions concerning this matter.

For further information related to this submission please contact the undersigned or Jane McFarlane at extension 225.

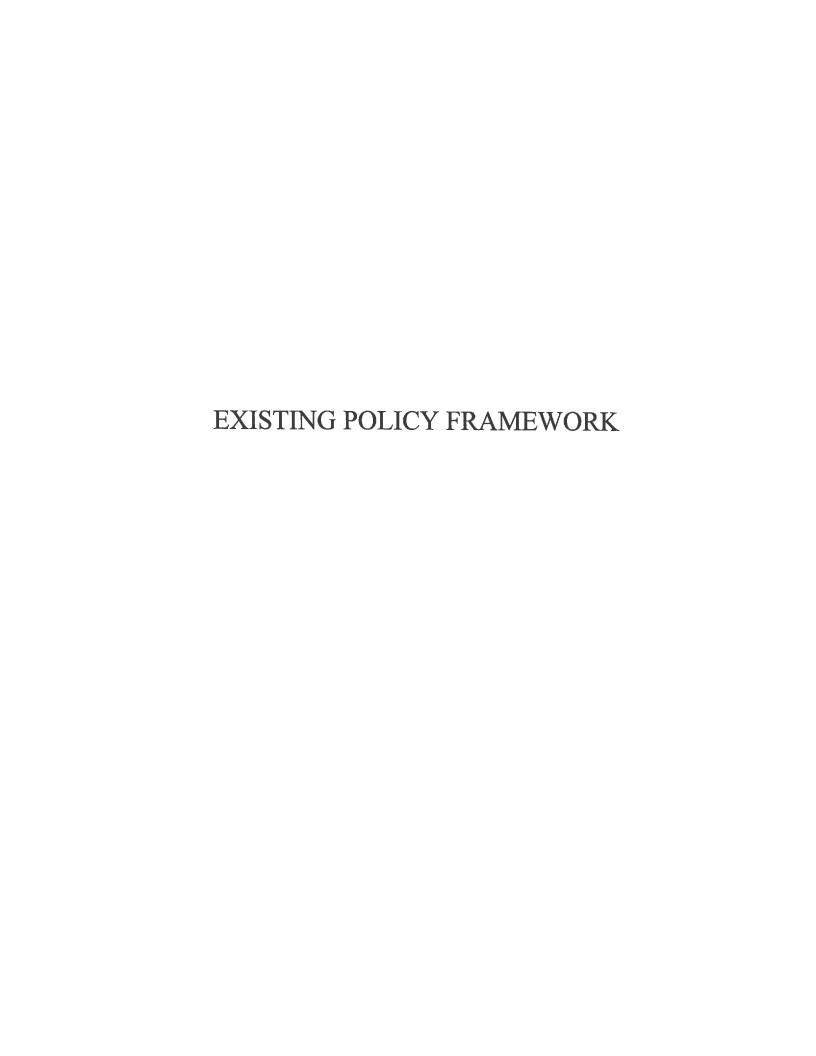
Yours truly, Weston Consulting Group Inc.

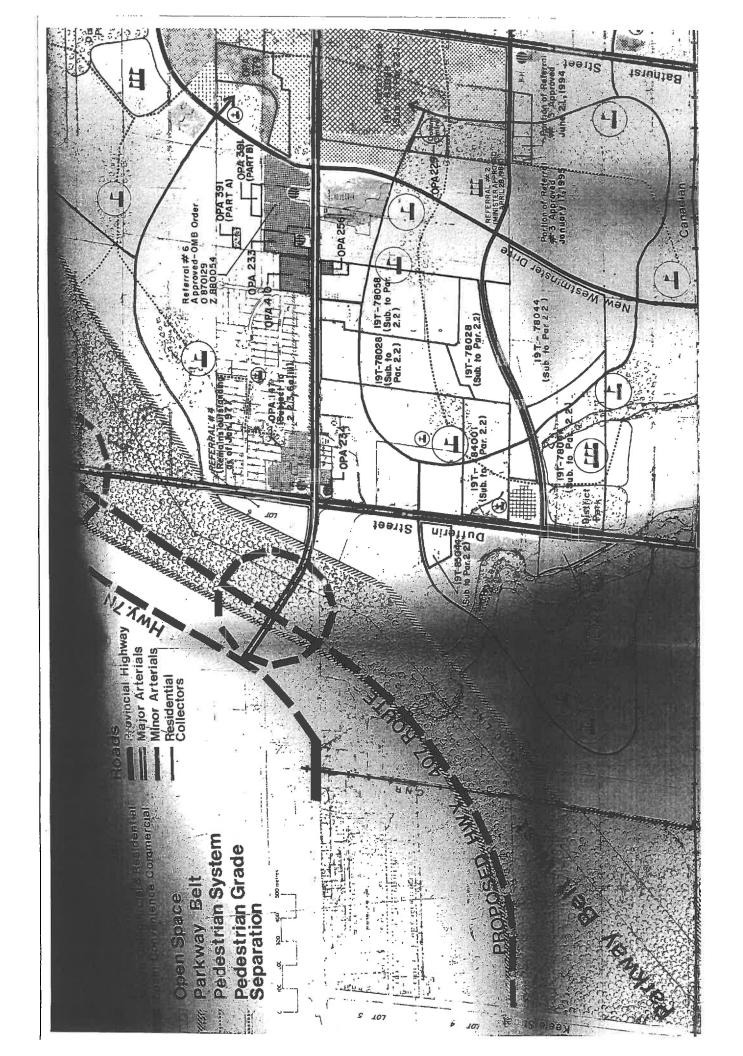
Ryan Guetter, BES, MCIP, RPP Associate

CC.

P. Weston, WCGI

P. Edward, Perls Incorporated E. Reichman, Perls Incorporated John Zipay, City of Vaughan Diana Birchall, City of Vaughan Pino DiMascio, Urban Strategies Emily Reisman, Urban Strategies



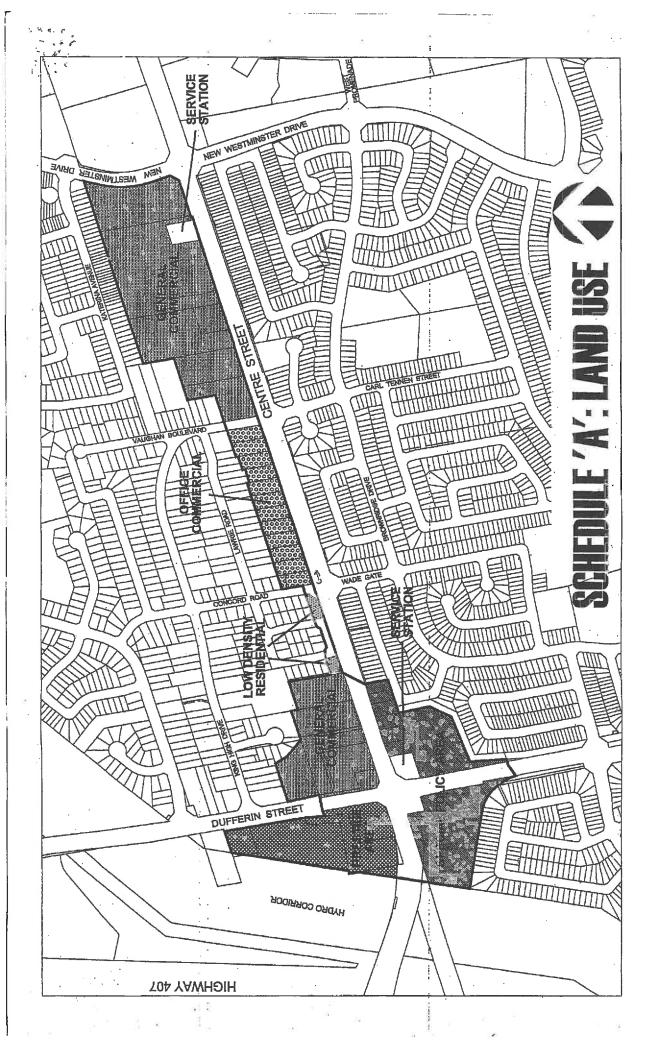


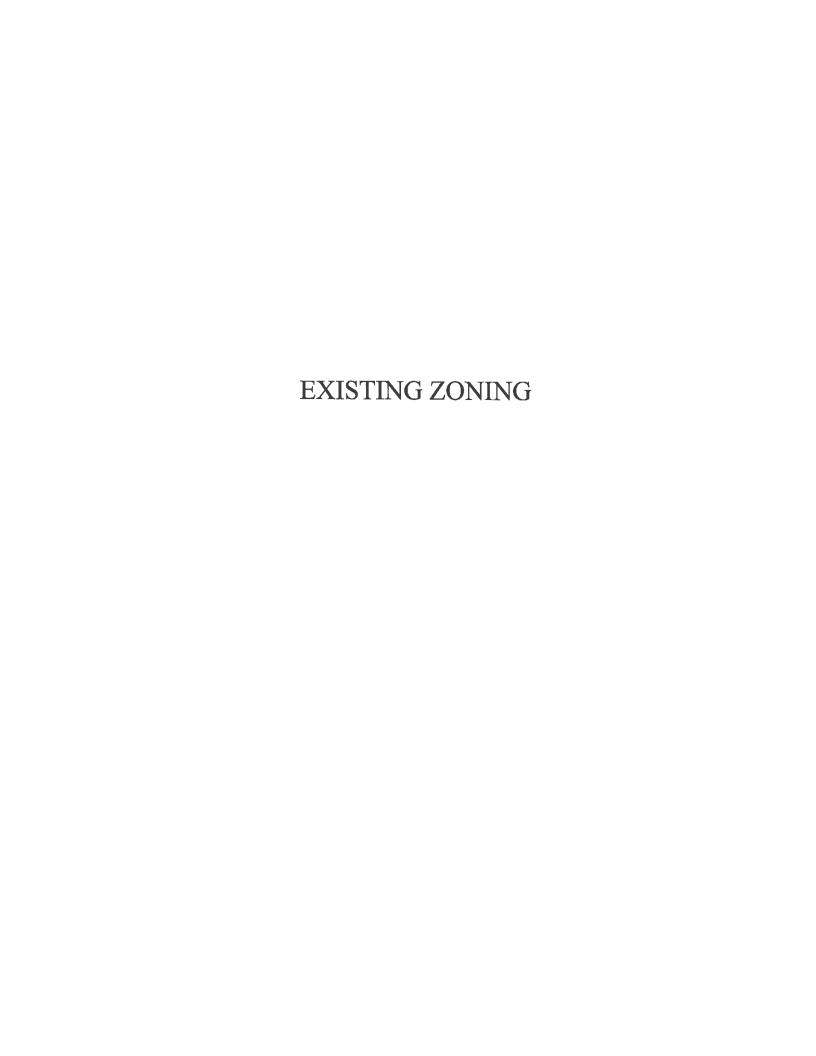
York:

- no through connection between Parsons Court and Centre Street shall be permitted;
- all new development shall be compatible with the residential character of the existing and future development in the area, in respect of building design, coverage, scale, landscaping, buffering and building setbacks;
- the site shall be designed in such a manner as to preserve the existing mature vegetation. (OPA #256)
- j) (OPA #367) Notwithstanding the above, lands located on the north side of Crestwood Road and on the east side of Bathurst Street, being Part of Lot 44, Plan 3205, and comprised of the properties municipally known as 7131 Bathurst Street and 242 Crestwood Road, and designated "General Commercial" by Amendment No. 367, shall be developed only in accordance with the following policies:
 - i) a maximum gross floor space index of 0.63;
 - ii) the following uses shall be permitted:
 - medical offices
 - related medical office uses
 - optical outlet
 - pharmacy
 - cafeteria, as an accessory use only (OPA #367)
- k) (OPA #372) Notwithstanding the above, the lands located on the east side of Hilda Avenue, north of Steeles Avenue West, being part of Lot 34, Registrar's compiled Plan 9685 consisting of the northerly portion of the property municipally known as 228 Steeles Avenue West, and identified as the Subject Lands in Amendment #372, shall be subject to the following:
 - i) a generous rear setback for the commercial property;
 - ii) sensitive siting of the servicing areas (loading, garbage storage, etc.) for the commercial use:
 - a substantial landscape strip, including planting, beaming and privacy fencing,
 adjacent to the south side of the future Royal Palm Drive right-of-way.
 - iv) no commercial access to Royal Palm Drive. (OPA #372)
- (OPA #410) Notwithstanding the above, the lands located at the northeast corner of Vaughan Boulevard and Centre Street, being Lots 92, 93, 94, 95 and 96, Registered Plan 3541, and municipally known as 1130, 1144, 1152, 1164, 1176 Centre Street, shall be developed only in accordance with the following policies:
 - The permitted uses include business and professional offices and commercial uses, provided that the minimum gross floor area devoted to business and professional

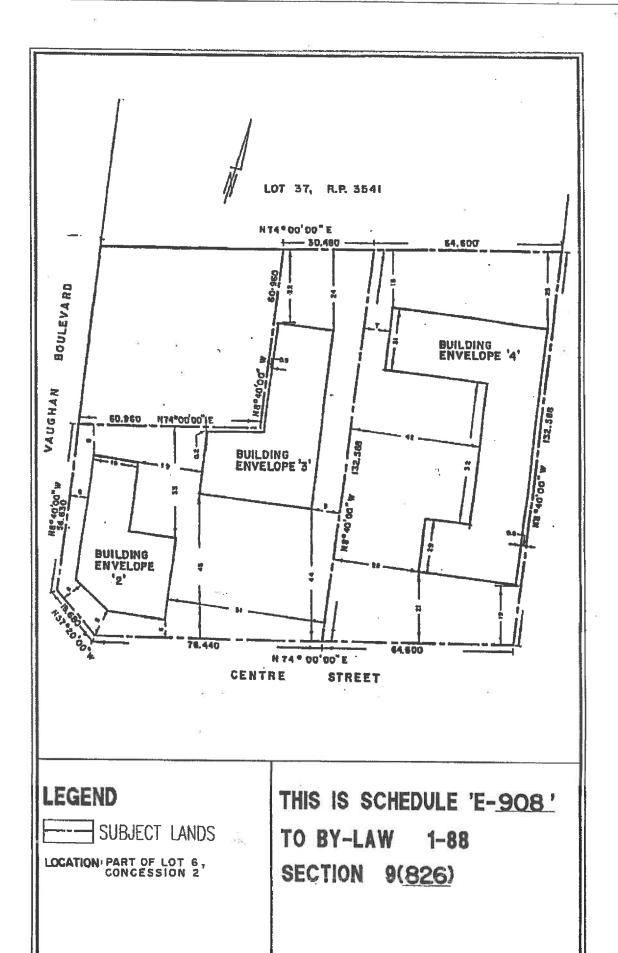
offices shall not be less than 60% of the gross floor area of the building(s);

- ii) Notwithstanding i) above, general commercial uses such as any automotive related uses, places of amusement or entertainment, or any commercial uses requiring outside storage shall not be permitted; commercial uses permitted shall be defined in the implementing zoning by-law;
- iii) The total ground gross floor area devoted to all eating establishment uses shall be a maximum of 30% of the ground floor area of each building in this development, provided that a maximum of 30% of the total gross floor area of each building devoted to all eating establishment uses shall be developed for convenience or take-out eating establishments; and no drive-through style restaurants shall be permitted;
- iv) The maximum floor space index shall be 0.8 F.S.L;
- v) Substantial landscape areas shall be provided to screen the parking areas from abutting roadways, particularly on Centre Street, and to provide an attractive "campus style" setting oriented to the pedestrian streetscape and complementary to the adjacent residential neighbourhood; and
- vi) The massing and conceptual design of all buildings shall be low profile, being limited to a combination of two and three storeys in building height, and shall be compatible with residential areas to the north and west;
- vii) Comprehensive assembly and/or development of the entire Subject Lands is required,
 with implementation to occur on the basis of a comprehensive zoning by-law and site plan. (OPA #410).
- m) (OPA #441, OMB Order Number 0940100, dated June 8, 1995) In addition to the general commercial policies the proponent shall incorporate such measures as may be necessary to protect the development from the potential impacts from residential soil contamination to the satisfaction of the City (OPA #441, OMB Order Number 0940100, dated June 8, 1995).
- n) (OPA #295, OMB Order Numbers 0910072, 0910073, dated July 27, 1995) In accordance with subparagraph i) of paragraph 2.4 f) Staging of Amendment No. 247 to the Vaughan Official Plan, a portion of the lands at the northerly limit of the lands subject to Amendment No. 295 to the Vaughan Official Plan (Lot 15, RP 1607-434 Steeles Avenue) will be required for the construction of the easterly terminus (cul-de-sac) of Townsgate Drive. Prior to the conveyance of these lands to the City of Vaughan they may be used in accordance with an implementing zoning amendment and a site plan agreement. Arrangements for the dedication of the required portion of the Townsgate Drive cul-de-sac and compensation through development agreements with the developers of the OPA No. 247 amendment area or otherwise as may be satisfactory to the City will be established in the site plan agreement









826) Notwithstanding the provisions of:

- Paragraph 5.1.5 and Schedule "A" respecting minimum yard requirements and maximum building height, and minimum setback from an "R" Zone to any building in a C1 Restricted Commercial Zone;
- b) Subsection 2.0 respecting the definitions of a Parking Space and Eating Establishment;
- c) Paragraph 3.8(a) respecting parking requirements;
- d) Paragraph 3.8(g) respecting the maximum width of an access driveway and 3.8(a) requiring parking areas to be located on the lot;
- e) Paragraph 3.9(a) respecting loading space requirements and 3.8(a) requiring parking areas to be located on the lot;
- f) Paragraph 3.9(a) respecting the minimum width for a driveway servicing a loading space;
- g) Subsection 3.17 respecting portions of buildings below grade;
- h) Subsection 5.1.1 respecting landscaping area;
- i) Subsection 5.2 respecting uses permitted in a C1 Restricted Commercial Zone and parking requirements contained therein.

The following provisions shall apply to the lands shown as "Subject Lands" on Schedule E-908 attached hereto as Schedule "1":

- ai) All buildings or structures erected on the lands shown as "Subject Lands" on Schedule "E-908" shall be located within the three areas described as "Building Envelope '2", "Building Envelope '3" and "Building Envelope '4" on the said Schedule E-908."
- aii) The maximum building height shall not exceed 15.5 m and three storeys, provided that no portion of any building or structure located within "Building Envelope '1" shall exceed two storeys and 11 m in maximum building height within 20 m of the lot lines abutting Vaughan Boulevard and Lot 37, Registered Plan 3541;
- aiii) The maximum floor space index shall be 0.8; for the purposes of this bylaw, floor space index shall be the ration derived from dividing the total gross floor area by the site area;
- bi) A maximum of 1% of the total required parking spaces may be a minimum size of 2.7 x 4.8 m, provided that these parking spaces are located below grade only;
- bii) For the purposes of this by-law, the following definitions shall apply:

EATING ESTABLISHMENT - Means a building or place where food and drink are prepared and offered for sale and served at the same table or counter where the food and drink are ordered and are to be consumed. Such establishment may offer limited take-out and/or delivery services.

EATING ESTABLISHMENT, CONVENIENCE - Means a building or place having seating of not less than 24 seats, where food and drink are prepared and offered for sale on a cafeteria-style, buffet or self-service basis for consumption within or outside of such building or place, and where customers do not eat at the table of counter at which the food is ordered and/or obtained. Such establishments may include take-out and/or delivery services, and may be accessory to a bakery and/or delicatessen use.

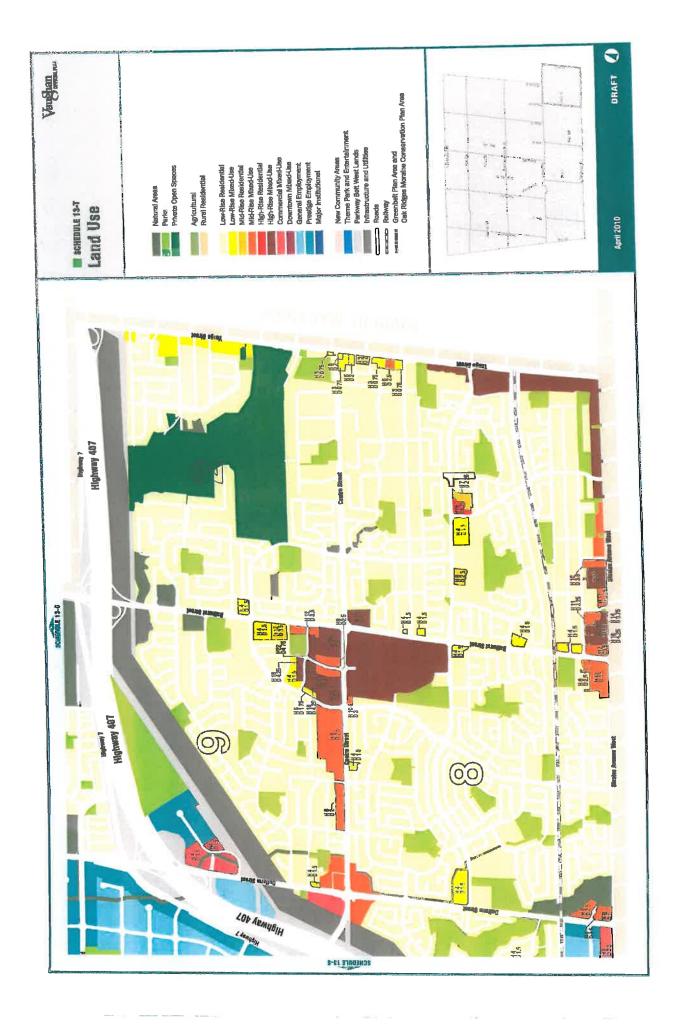
EATING ESTABLISHMENT, TAKE-OUT - Means a building or place having limited seating not to exceed 24 seats, where food and drink are prepared and offered for sale to be primarily taken out or delivered for consumption off the premises.

- ci) A minimum of 6.0 parking spaces per 100 sq.m of gross floor area for all ground level uses, and a minimum of 3.5 parking spaces per 100 sq.m of gross floor area shall be provided for all storeys above the ground floor;
- di) A joint access driveway shall be provided to Centre Street from Lots 94 and 95, Registered Plan 3541, provided that the maximum combined width of the joint access driveway shall be 10.0 m and the minimum width of any portion of the access driveway provided by each of Lot 94 and 95 shall be 3 m.
- ei) A minimum of three loading spaces shall be provided each with direct access to one of the three building envelopes."
- fi) A joint access aisle shall be provided by Lots 94 and 95, Plan 3541 and the minimum width of any portion of the access aisle provided by each of Lots 94 and 95 shall be 3 m.
- gi) The minimum setback from the front lot line to the nearest part of a building below finished grade shall be 0.2 m.
- hi) A strip of land of 6 m in width shall be provided adjacent to the northerly boundary of the "Subject Lands" and any adjacent portion of Lot 37, Registered Plan 3541 and shall be used for no other purpose than landscaping.
- ii) Only the following uses shall be permitted:
 - business or professional offices; provided that a minimum of 60% of the total gross floor area of a building in each of the four building envelopes shall be devoted to such uses;
 - retail stores;
 - office buildings;
 - banks of financial institutions;
 - clinics:
 - personal service shops:
 - health centres or clubs;
 - automotive retail stores;
 - service or repair shops;
 - photography studios:
 - video stores;
 - laboratories:
 - eating establishments and eating establishments convenience and eating establishment take-out, provided that a maximum of 30% of

the total ground floor area of each building may be devoted to such uses provided that a maximum of 30% of the total ground gross floor area of each building devoted to eating establishment uses may be developed for eating establishments, take-out.

ji) Notwithstanding the provisions of Section 5.1.1 respecting the minimum landscape strip requirements between a commercial and residential zone, the minimum width of the landscape strip along the north and westerly lot lines, adjacent to "Building Envelope 3", as shown on Schedule "E-908", shall be 1.0 metre."

APRIL 2010 DRAFT OFFICIAL PLAN (VOLUME 1 AND 2)



Mid-Rise Mixed-Use

- 9.2.2.4. In areas designated on Schedule 13 as **Mid-Rise Mixed-Use**, the following policies shall apply
 - a. **Mid-Rise Mixed-Use** areas are generally located in *Intensification Areas* and provide for a mix of residential, retail, community and institutional uses. Such areas will be carefully designed with a high standard of architecture and public realm, and well integrated with adjacent areas.
 - b. The following uses shall be permitted in areas designated as **Mid-Rise Mixed- Use**, in addition to those uses permitted through policy 9.2.1.9:
 - i Residential units;
 - ii. Home Occupations;
 - iii. Community facilities;
 - iv. Cultural uses, including commercial galleries and theatres; and,
 - Retail uses subject to the policies of Section 5.2.3;
 - vi. Office uses up to a maximum of 7,500 square metres;
 - vii. Parking garage
 - viii. Hotel; and,
 - ix. Gas stations, subject to the following criteria:
 - A. the use is located on an arterial street as indicated on Schedule 9;
 - B. the use is limited to one gas station per intersection; and,
 - C. no gas stations shall be permitted at the intersection of two arterial streets as indicated on Schedule 9.
 - c. In areas designated as Mid-Rise Mixed-Use the ground floor frontage of buildings facing arterial and collector streets shall predominantly consist of retail uses or other active uses that animate the street.
 - d. In areas designated as Mid-Rise Mixed-Use, retail uses shall not exceed 50 percent of the total gross floor area of all uses on the lot.

- e. The following Building Types are permitted in areas designated as **Mid-Rise Mixed-Use**, pursuant to policies in Section 9.2.3 of this Plan:
 - i. Mid-Rise Buildings;
 - ii. Public and Private Institutional Buildings; and
 - iii. Gas Stations.
- f. Within 70 metres of an area designated as **Low-Rise Residential** or on streets that are not arterial streets or major collector streets the following building types are also permitted, pursuant to policies in Section 9.2.3 of this Plan:
 - i. Townhouses;
 - ii. Stacked Townhouses; and,
 - iii. Low-Rise Buildings

High-Rise Residential

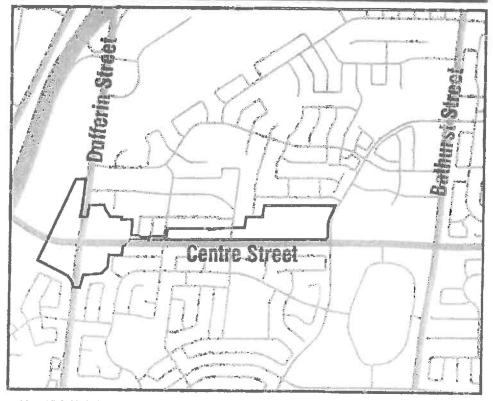
- 9.2.2.5. In areas designated on Schedule 13 as **High-Rise Residential**, the following policies shall apply:
 - a. High-Rise Residential areas are generally located in *Intensification Areas* and shall consist of primarily residential buildings. These areas will help achieve the City's population and *intensification* targets by establishing higher intensity housing forms. Such areas will be carefully designed with a high standard of architecture and public realm, and well integrated with adjacent areas.
 - b. The following uses are permitted in areas designated as **High-Rise Residential**, in addition to those uses permitted through policy 9.2.1.9:
 - i. Residential units;
 - ii. Home Occupations; and,
 - iii. Community facilities.
 - The following Building Types are permitted in areas designated as High-Rise
 Residential, pursuant to policies in Section 9.2.3 of this Plan:
 - High-Rise Buildings;
 - ii. Mid-Rise Buildings; and,
 - iii. Public and Private Institutional Buildings.

12.2.10 Centre Street Corridor

OPA 672 passed May 24, 2005 is inserted into Volume 2 of the Official Plan as a consolidation, with no change to its purpose and effect, but subject to such changes that will not affect the substance of the document, including the following

- a deletion of obsolete provisions;
- changes or corrections to format, wording, or reference errors, or,
- c. alteration in the number and arrangement of any provisions

Note: the policies of Volume 1 apply except where there is a conflict, in which case the site specific policies named above will apply



▲ Map 12.2.10.1: Centre Stroet Corridor

ADOPTED OFFICIAL PLAN (VOLUME 1 AND 2)

- i. Townhouses:
- ii. Stacked Townhouses; and,
- iii. Low-Rise Buildings.

Commercial Mixed-Use

- 9.2.2.7. In areas designated on Schedule 13 as Commercial Mixed-Use, the following policies shall apply:
 - a. Areas designated as Commercial Mixed-Use are located along Primary Intensification Corridors. They shall be predominantly commercial areas appropriate for non-residential intensification and making efficient use of existing and planned transit investments. These areas are planned to be developed with commercial buildings that allow for a variety of business uses to occur in close proximity to each other in order to assist the City in achieving its overall employment targets and intensification objectives. These areas will be carefully designed with a high standard of architecture and public realm, and well integrated with adjacent areas.
 - b. The following uses are permitted in areas designated as Commercial Mixed-Use, in addition to those uses permitted through policy 9.2.1.8:
 - Office uses, up to a maximum of 12,500 square metres;
 - ii. Hotel;
 - iii. Retail uses; and,
 - iv. Gas stations, subject to the following criteria:
 - A. the use is located on an arterial street as indicated on Schedule 9;
 - B. the use is limited to one gas station per intersection; and,
 - C. no gas stations shall be permitted at the intersection of two arterial streets as indicated on Schedule 9.
 - In areas designated as Commercial Mixed-Use, and located in *Intensification*Areas identified on Schedule 1, a minimum of 30% of the total gross floor area of all uses on the lot shall consist of uses other than *retail* uses.

- d. Notwithstanding policy 9.2.2.7.c.i, in areas designated as Commercial Mixed-Use and located within 500 metres of an existing or planned subway station, or where permitted through a Secondary Plan, office uses may exceed 12,500 square metres.
- e. The following Building Types are permitted in areas designated as **Commercial Mixed-Use**, pursuant to policies in Section 9.2.3 of this Plan:
 - i. Mid-Rise Buildings;
 - ii. Public and Private Institutional Buildings; and,
 - iii. Gas Stations.

Downtown Mixed-Use

9.2.2.8. The area designated as **Downtown Mixed-Use** on Schedule 13 forms the entirety of the **Vaughan Metropolitan Centre**. Development within this designation shall conform to the Vaughan Metropolitan Centre Secondary Plan contained in Volume 2 of this Plan.

General Employment

- 9.2.2.9. In areas designated on Schedule 13 as **General Employment**, the following policies shall apply:
 - a. General Employment areas are be predominantly industrial areas characterized by low scale buildings with a variety of lot sizes to provide flexibility for attracting and accommodating a wide range of industrial and associated employment uses. While areas designated as General Employment will continue to accommodate vehicles and trucks, development in these areas will be designed with pedestrian amenity to serve the daily employee population and to facilitate access to public transit.
 - b. The following uses are permitted in areas designated as **General Employment**, in addition to those uses permitted through policy 9.2.1.8:
 - A full range of industrial uses including manufacturing, warehousing (but not a retail warehouse), processing, transportation, distribution, any of which may or may not include outdoor storage;

12.10 Centre Street Corridor

12.10.1 Goals

12.10.1.1. The goal of this Secondary Plan is to improve the Centre Street Corridor, shown on Map 12.10.A, as an attractive, pedestrian-friendly and transit-supportive corridor through the application of a comprehensive, co-ordinated and integrated approach to planning, transportation and urban design, based on a set of urban design policies consistently applied to new development and redevelopment.

12,10,2 **Urban Design**

- Future development in the Centre Street Corridor will address the following urban 12.10.2.1. design policies as they apply to the public realm and private lands, in order to create an attractive, safe and pedestrian-friendly environment:
 - Buildings should have active facades including primary windows and entrances facing the street, to provide convenient accesses to pedestrians and users of public transit;
 - When buildings are located close to the street, the buildings should not be separated from the street by either parking areas or drive aisles;
 - Buildings should be sited to minimize their impact on neighbouring properties, respecting and protecting the existing scale and character of adjacent residential neighbourhoods;
 - Further reverse lot development (residential and/or commercial) will not be d. permitted along Centre Street. Where parking access is located off the street by way of an internal driveway circulation system, the units should still have a functional primary pedestrian entrance that relates to Centre Street;
 - The area between the building wall and the street should contribute to a positive social and visual environment on the street;
 - f. Buildings should be designed with a high level of architectural materials:
 - Large, blank walls and repetitive facades should be avoided. Variation in certain g. elements of façade treatment should be provided;
 - h. Architectural variation and animation should be encouraged and .include building elements such as balconies, windows, porches, railings, entrances and awnings and attractive signage where appropriate:
 - Surface parking should have the least possible impact on the public realm; large surface parking areas are discouraged and if required, should be setback, screened and buffered from the street edge, with comfortable pedestrian routes provided through and around parking areas;

- j. Where the grade changes over the length or width of the site, accommodation for the grade changes, if required, should be accomplished on the site within the parking lot or within the buildings, not at the street edge;
- Service and loading areas are prohibited adjacent to public streets and must, at all times, be effectively screened and, if possible, fully enclosed;
- Access to underground parking should be appropriately integrated into the buildings it serves and located so as to minimize physical and visual impact on public sidewalks and open spaces;
- m. Garbage will be stored within the building;
- Urban Design Guidelines and Architectural Control Guidelines may be required by development applicants, and shall address both built form and public realm considerations to the satisfaction of the City; and,
- The following area-specific policies apply to properties located within the four quadrants around the Dufferin Street and Centre Street intersection
 - Corner sites should be defined with more intense development and high quality architecture and serve as landmarks or gateway entry points;
 - Development density shall be concentrated close to the Dufferin/Centre intersection, and along the frontages of Dufferin Street and Centre Street;
 - iii. Maximum permitted building heights shall provide for the tallest buildings, including landmark buildings, to be located at the key corner locations, and such buildings shall be designed to allow stepping down of the heights from the corner back towards adjacent low-density residential neighbourhoods. The minimum height for buildings at key corner locations shall be two-storeys;
 - iv. Pedestrian and vehicle crossings at the key intersection shall be well defined;
 - v. Streetscape and street furniture shall be high quality and of unified design to clearly demarcate the gateway;
 - vi. Landowners should consolidate driveways and provide interconnected laneways, where appropriate, as sites develop or redevelop over time; and,
 - vii. Commercial and/or mixed-use buildings shall be built to within 3 metres of the front property line and residential buildings setback, with soft landscaping (up to 5 metres) from the front properly line.

12.10.3 Land Use: Low Rise Residential

12.10.3.1. Notwithstanding policy 9.2.1.1, the following policies apply to the lands identified as **Low-Rise Residential** on Map 12.10.A.

- 12.10.3.2. In Low-Rise Residential areas the permitted uses shall be residential units.
- 12.10.3.3. In Low-Rise Residential areas the permitted building types shall be Detached Houses pursuant to policy 9.2.3.1.
- 12.10.3.4. The net density in Low-Rise Residential areas shall not exceed 22 units per ha. In addition existing single family detached dwelling units exceeding a density of 22 units per ha shall be permitted.
- 12.10.3.5. For the purposes of calculating net residential density in Low-Rise Residential areas, a net residential hectare shall include local streets and residential collector roads as well as the land for the dwelling units, but shall exclude parks, walkways and other public open space uses.

12.10.4 Land Use: Commercial Mixed-Use Area A

- 12.10.4.1. Notwithstanding policy 9.2.1.1, the following policies apply to the lands identified as Commercial Mixed-Use A on Map 12.10.A.
- 12.10.4.2. Permitted uses in Commercial Mixed-Use Area A area shall include:
 - small scale office uses: and.
 - b. religious institutions, day care centres, schools, and libraries.
- 12.10.4.3. Notwithstanding policy 9.2.1.5 the maximum height for any building within the Commercial Mixed-Use A designation shall be two and one-half storeys (11 metres). The one-half storey is permitted in the roof of the building, and its floor area may be up to 50% of the GFA of the second storey. The one-half storey shall be incorporated in a peaked-roof design, with the roof having a minimum pitch of 45° and maximum of 60° off the horizontal.
- 12.10.4.4. To encourage operational compatibility any development within the Commercial Mixed-Use A designation will be required to proceed by way of site-specific zoning by-law amendment, and site development applications shall have specific regard to operational matters, including but not limited to parking, lighting, loading and service areas. Also, a consolidation of individual driveways is required wherever possible within this designation.

12.10.5 Land Use: Commercial Mixed-Use Area B

- 12.10.5.1. Notwithstanding policy 9.2.1.1, the lands at the northeast comer of Vaughan Boulevard and Centre Street, being Lots 92, 93, 94, 95 and 96, Registered Plan 3541, and municipally known as 1130, 1144, 1152, 1164, 1176 Centre Street and identified as **Commercial Mixed-Use Area B** on Map 12.10.A, shall be developed only in accordance with the following policies:
 - The permitted uses include business and professional offices and commercial uses, provided that the minimum gross floor area devoted to business and professional offices shall not be less than 60% of the gross floor area of the building(s);
 - Notwithstanding a) above, general commercial uses such as any automotive related uses, places of amusement or entertainment, or any commercial uses requiring outside storage shall not be permitted; commercial uses permitted shall be defined in the implementing zoning by-law;
 - c. The total ground gross floor area devoted to all eating establishment uses shall be a maximum of 30% of the ground floor area of each building in this development, provided that a maximum of30% of the total gross floor area of each building devoted to all eating establishment uses shall be developed for convenience or take-out eating establishments; and no drive-through style restaurants shall be permitted;
 - d. The maximum floor space index shall be 0.8 F.S.I.;
 - e. Substantial landscape areas shall be provided to screen the parking areas from abutting roadways, particularly on Centre Street, and to provide an attractive "campus style" setting oriented to the pedestrian streetscape and complementary to the adjacent residential neighbourhood;
 - f. The massing and conceptual design of all buildings shall be low profile, being limited to a combination of two and three storeys in building height, and shall be compatible with residential areas to the north and west; and,
 - g. Comprehensive assembly and/or development of the entire Subject Lands is required, with implementation to occur on the basis of a comprehensive zoning by-law and site plan.
- 12.10.5.2. The following building types are permitted in **Commercial Mixed-Use Area B** shown on Map 12.10.A pursuant to policies in Section 9.2.3:
 - a. Employment/Industrial buildings; and,
 - b. Low-Rise buildings.

12.10.6 Land Use: Commercial Mixed-Use Area C

- 12.10.6.1. Permitted uses in Commercial Mixed-Use Area C areas shall be existing commercial uses, retail stores for the buying, leasing and exchanging of goods and services, restaurants, banks and business and professional offices.
- 12.10.6.2. New commercial uses must be compatible with the proposed site, in terms of building design and coverage, parking provided, landscaping and buffering, and adjacent land uses. Council consideration should be given to broadening the permitted retail and service commercial uses within an implementing Zoning By-law and definitions to allow a greater range of commercial uses which reflect evolving consumer needs without imposing negative impacts on neighbouring residential areas.
- 12.10.6.3. Such uses shall only be approved consolidated in nodes in accordance with good design principles with emphasis on common internal traffic circulation. Access to internal road shall only be by service or collector roads, wherever possible.
- 12.10.6.4. Notwithstanding the above, the lands municipally known as 1453 and 1465 Centre Street, being Lots 3 and 4, Registered Plan 3668, shall be subject to the following:
 - The Lands shall be used only for the purpose of a sit down restaurant having a maximum gross floor area of 450 square metes and containing a maximum of 100
 - b. The Lands shall not be developed until such time as full municipal services are available; and,
 - The Lands have been identified by the Ministry of Transportation and Communications as future Highway #407 interchange and accordingly these lands are to be utilized for the above-noted specified commercial use (i.e. restaurant) until such time as the property is required for the physical construction of Highway #407 by the Ministry of Transportation and Communications.
- 12.10.6.5. Comprehensive development plans will be required for new development in all Commercial Mixed-Use Area C areas and such development shall be subject to the approval of site plans by the City through agreements or letters of undertaking, whichever is in effect.
- 12.10.6.6. No residential use shall be permitted in commercial areas other than as a direct accessory and related individual use to a permitted use.

- 12.10.6.7. Building setbacks, visual screening, planting and/or fencing shall be provided between commercial uses and adjacent residential areas, except where such areas form an integral part of medium and high density residential schemes.
- 12.10.6.8. The following building types are permitted in **Commercial Mixed-Use Area C** shown on Map 12.10.A pursuant to policies in Section 9.2.3:
 - a. Employment/Industrial buildings; and,
 - b. Low-Rise buildings.

12.10.7 Land Use: Commercial Mixed-Use Area D

- 12.10.7.1. Notwithstanding policies 9.2.1.1, the following policies apply to the area identified as Commercial Mixed-Use Area D on Map 12.10.A.
- 12.10.7.2. A wide range of industrial, office, business and civic uses shall be permitted. No outside storage of goods or materials shall be permitted in this designation, provided that the priority uses for the area shall be offices, hotels with related hospitality and conference facilities, major corporate complexes and other prestige employment uses. The amount and type of retail commercial and personal service uses shall be limited to that which is ancillary to these priority functions and, in orientation and location, such uses shall be integrated within a development devoted to the priority uses.
- 12.10.7.3. In addition to the uses listed in policy 12.10.6.2, the following recreational and Institutional uses shall also be permitted:
 - a. community facilities;
 - b. arenas (private or public);
 - c. swimming pools (private or public):
 - d. greenway systems;
 - e. places of worship;
 - public health facilities;
 - g. cultural and social facilities;
 - h. day care centers;
 - i. non-profit clubs and organizations; and,
 - j. Branch Colleges
- 12.10.7.4. Civic uses are also permitted. Accordingly, a new fire station may be located in the area. If the City-owned site on Dufferin Street, currently the existing Patricia Kemp Community

Centre, is no longer required for civic purposes, this property may be reused for noncivic employment purposes permitted by the Prestige Area designation, without further amendment to this Plan.

- A "service station/gas bar" use shall not be permitted within the subject lands. 12.10.7.5.
- 12.10.7.6. Hydro Electric utility facilities are also a permitted use within the subject lands. If certain lands owned by Vaughan Hydro are identified as surplus to hydro needs, they may be developed for purposes permitted by the Commercial Mixed-Use designation described in policies 12.10.7.2 and 12.10.7.3, in conjunction with nearby private lands and in accordance with the applicable site-specific policies of this subsection.
- 12.10.7.7. The zoning by-law shall establish the permitted uses and development standards.
- 12.10.7.8. Vehicular access to lots abutting arterial roads and provincial highways shall generally be from the internal road network. Access to the provincial or arterial road systems shall be subject to the approval of the appropriate authority.
- 12.10.7.9. In instances where through lots are provided, buildings shall be designed so that all elevations facing a street present a "front" elevation. Loading areas are not considered appropriate in any yard facing a street. The location of loading areas will be controlled in the zoning by-law.
- 12.10.7.10. Notwithstanding policy 9.2.1.6, the lands identified as Commercial Mixed-Use Area D on Map 12.10.A shall be limited to a maximum overall density of 1.0 FSI.
- 12.10.7.11. Any site-specific rezoning application must be based on a Council approved comprehensive plan addressing the location of local roads, street access points, pedestrian connections, buildings, etc.
- 12.10.7.12. As a pre-requisite to the approval of development applications, comprehensive assembly or land exchanges shall be required in order to create efficient parcels to accommodate the intended development, as well as co-ordinated access to Dufferin Street for all land uses.

- 12.10.7.13. Access to all development parcels shall be consolidated by means of new public road(s) connecting the development parcels to Dufferin Street at planned signalized locations or, alternatively, in the event that comprehensive assembly makes the public road provision unnecessary, by means of private agreements, easements and/or rights-ofway to achieve the same consolidation of access points for all land uses, including Vaughan Hydro facilities.
- 12.10.7.14. The following building types are permitted in Commercial Mixed-Use Area D shown on Map 12.10.A pursuant to policies in Section 9.2.3:
 - Employment/Industrial buildings; and.
 - b. Low-Rise buildings.

12.10.8 Land Use: Gas Station

- 12.10.8.1. Notwithstanding policy 9.2.1.1 regarding Gas Stations, such uses are permitted in the locations identified on Map 12.10.A.
- 12.10.8.2. Notwithstanding the above, any Gas Station site designated on Map 12.10.A may be developed in accordance with the land use designation of the immediately adjoining land without amendment to this Secondary Plan.
- 12.10.8.3. Convenience Retail uses are permitted on the same site as an automobile gas bar, provided that such uses are sensitively designed and integrated on the site, and in particular, are compatible with surrounding development.
- 12.10.8.4. Outside storage shall be limited in any future implementing zoning by-laws.
- 12.10.8.5. On the property at 1030 Centre Street, where an automobile service station is located, the permitted uses shall be the sale of auto fuel, oil and lubricant and other related products, the provision of repair and maintenance services for vehicles, and the existing car wash and convenience retail use as listed on the property. Any future redevelopment of this site shall be subject to the following compatibility criteria.
 - The site shall be developed pursuant to an approved site plan which demonstrates proper site access, internal traffic circulation, adequate parking, substantial landscaped areas and appropriate urban design characteristics that will ensure compatibility with the adjacent lands; and,
 - The design, appearance and scale of development on the site shall be consistent with the existing and intended character of the surrounding community, with utmost consideration given to aesthetic design.

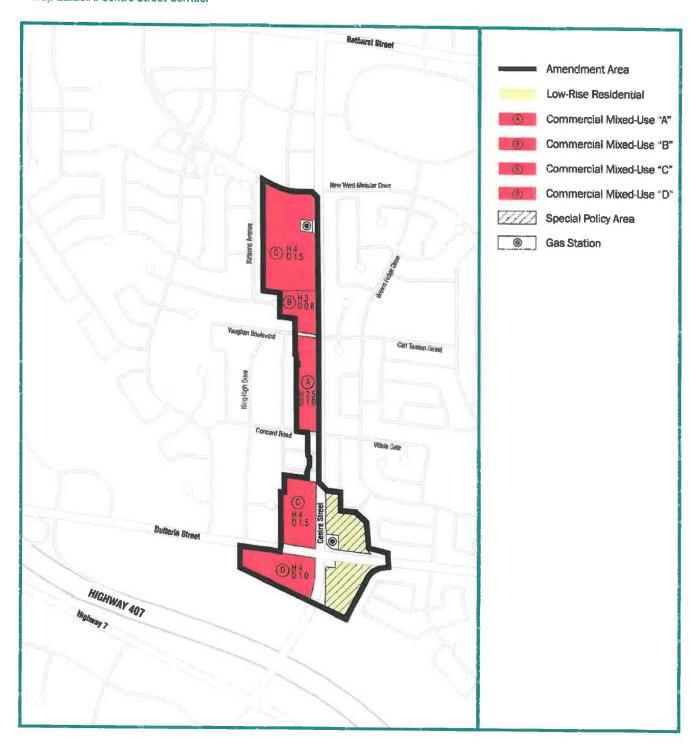
Special Policy Area 12.10.9

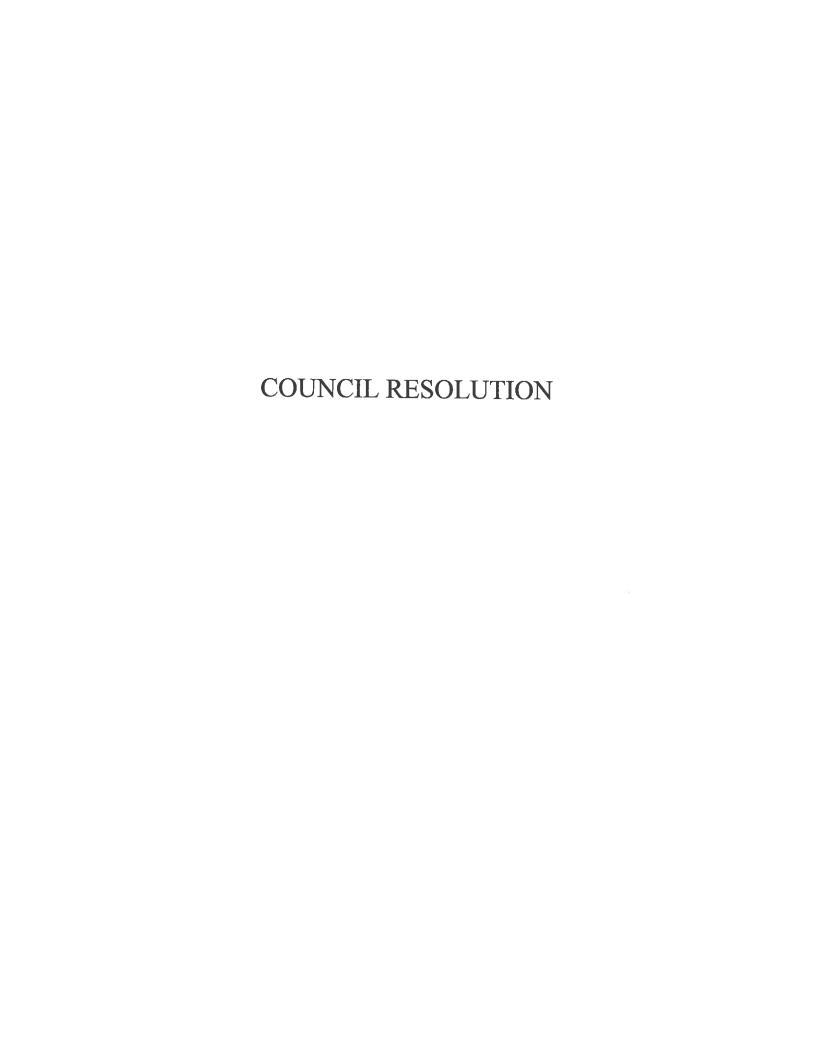
- 12.10.9.1. Lands within the Special Policy Area shall be subject to further study by the applicant.
- 12.10.9.2. Prior to the submission of any development proposal, the applicant shall provide a planning study, including a traffic report, public participation component, rationale for proposed density and land uses, noise study, and a height and massing study demonstrating consistency with the urban design principles of this Official Plan. The urban design, parking, and other general policies of this Official Plan, including the "Service Station/Gas Bar" policy, which in effect prohibits a service station use at the southwest corner of Dufferin and Centre Street, shall apply for any development within this designation. This Study shall provide the justification for any proposed Official Plan Amendment to redesignate the lands.
- 12.10.9.3. Until such Official Plan Amendment is submitted in accordance with the aforementioned Special Policy Area requirements, the current Low-Rise Residential and Gas Station designations shall apply to the southern portion of the Western Gateway.

12.10.10 **Transportation**

- 12.10.10.1. That the Region of York recognize the importance of maintaining full movement access to the existing commercial centres on the north side of Centre Street between Vaughan Boulevard and New Westminster Drive, and reflect this in the planning for any transit facilities in the Centre Street Corridor between Bathurst and Dufferin Street.
- 12.10.10.2. Sharing of parking will be encouraged within the Secondary Plan Area, subject to evaluation by the City.
- 12.10.10.3. Within the Secondary Plan Area, parking underground and in structures shall be encouraged.
- 12.10.10.4. To assist with the reduction in large surface parking areas within the Secondary Plan, a reduction to the current parking standards for commercial development shall be applied to all surface and/or structured parking provided. A parking standard of a minimum of 4.0 spaces/100 square metres will be used in calculating the required parking spaces for retail commercial development in any designation within the Secondary Plan.

▼ Map 12.10.A: Centre Street Corridor





CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 7, 2010

Item 1, Report No. 39, of the Special Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on September 7, 2010, as follows:

By approving that Section 10.1.1.12 on page 286 of Volume 1 under the Heading of "Timing of Secondary Plans", be deleted;

By approving the following:

WHEREAS Metrolinx and York Region Transit have funded road widening for Rapid Transit on Highway 7 from Vaughan Corporate Centre to Weston Road in Phase I from Weston Road to Helen Street in Phase II; and

WHEREAS no funding or plans have been provided to widen Highway 7 to accommodate Rapid Transit from Helen Street to Martin Grove Road, Woodbridge; and

WHEREAS this area is already congested since the road reduces from seven lanes to four lanes, between Helen Street and Woodstream Boulevard, Woodbridge; and

WHEREAS this section also provides a major challenge in its widening to cross the Humber River and the railway tracks west of the Humber River; and

WHEREAS the Official Plan 661 designates this area as a mid rise development with a permitted building height of ten stories and FSI of 3.0;

BE IT THEREFORE RESOLVED THAT:

THE SECTION OF ROAD BETWEEN BRUCE STREET AND WOODSTREAM BOULEVARD, ALONG THE NORTH AND SOUTH SIDE OF HIGHWAY 7, WOODBRIDGE, BE AMENDED TO PERMIT A MAXIMUM BUILDING HEIGHT OF SIX STORIES AND FSI (FLOOR SPACE INDEX) OF 2.0;

By approving the following:



- 1. That staff be instructed to conduct a study of the area on the north side of Centre Street between New Westminster and Vaughan Boulevard to consider its appropriate designation for intensification; and
- 2. That any changes to the current designation that is before Council today be dealt with through modifications at the York Region stage of review of this plan;

By approving the following:

That "except as permitted as per the provisions of Section 3.2.3.7(c)" be added to Section 3.3.1.1(a) Volume 1;

That "where feasible" be added to Section 8.1.2.4(b) Volume 1;

That "where feasible" be added to Section 3.0(d)(xxii)Volume 2; and

That "reverse frontage..." in Section 6.2(b) Volume 2 be replaced with "as per 9.1.1" of Volume 1;

By approving the following recommendation contained in the memorandum from the Commissioner of Planning, dated September 3, 2010:

"1. That the Region of York be advised that City of Vaughan Official Plan 2010, (Volumes 1 and 2), meets the requirements of section 26, (1)(a)(i), (ii), and (iii), of the Planning Act, R.S.O. 1990,c. P.13, as amended, which states as follows:

Bell

November 30, 2010

Mr. Augustine Ko, MCIP, RPP Senior Planner, Community Planning Branch Regional Municipality of York 17250 Yonge Street Newmarket, Ontario L3Y 6Z1

Re: Adopted City of Vaughan Official Plan and Associated Secondary Plans (Volumes 1 and 2)

Dear Mr. Ko,

Bell Canada would like to thank you for the opportunity to continue to provide input on the City of Vaughan's adopted Official Plan (Volume I) and associated Secondary Plans (Volume II) which are now before the Region of York for final approval. Bell has been proactively involved in this process through providing both preliminary and detailed comments over the course of this initiative. We were very pleased that the some of our previous comments were incorporated into the final documents; however, there are a few remaining important items that we would ask be considered as part of the Regional review.

As you are aware utilities, such as communications/telecommunications, play a critical role in achieving growth and development objectives by providing essential services to both residential and businesses within a community. As a result, it is important to understand the complexity of expanding and enhancing these networks to accommodate growth, both through outward expansion to new urban areas and through intensification, infill and redevelopment. All types of growth and development place demands on the telecommunications network and its associated support infrastructure. Beyond simply extending fibre or copper cable, growth and development can precipitate the need for reinforcement and replacement of the support infrastructure. Reinforcement and replacement of the telecommunications network can represent an extensive and costly undertaking, which needs to be managed to avoid disruption of public services. This is particularly critical in relation to the provisioning of 911 emergency services and the services essential to the City's businesses operating in a global economy.

Incorporating appropriate policies in Official Plan and Secondary Plan documents related to the provisioning of utility services, such as telecommunications, allow providers to coordinate the appropriate infrastructure for new growth and development in a timely, efficient and coordinated fashion. It also allows for greater consideration of the size and locational needs of large telecommunications infrastructure and equipment that house key electronics.

Bell Canada Development and Municipal Services Control Centre Floor 5 BLUE, 100 Borough Drive Toronto, Ontario M1P 4W2

The following comments are intended to supplement our previous remarks and focus on the City of Vaughan Official Plan – A Plan for Transformation (Volume 1), the Woodbridge Centre Secondary Plan and the West Vaughan Employment Area Secondary Plan. Our recommended modifications are shown in *italics*.

1. CITY OF VAUGHAN OFFICIAL PLAN – A PLAN FOR TRANSFORMATION (VOLUME 1)

Telecommunications and Data (Section 8.4.4)

Section 8.4.4 states that "the City will support the provision of high speed, reliable and accessible telecommunications and data service throughout the City, where appropriate, including wired infrastructure within public rights-of-way or wireless infrastructure, such as cellular towers"; however, this support is not reflected in Section 8.4.4.3. Section 8.4.4.3 outlines the need to develop comprehensive site plan and design guidelines related to wireless infrastructure which includes policies that could impede the provisioning of state-of-the-art telecommunications services by limiting the way in which the infrastructure can be provided. Telecommunications networks consist of a variety of different components required to service different land uses that vary in size and locational needs.

As communities in Ontario move towards incorporating contemporary urban design guidelines to planning policies, it is important to understand that there is a certain degree of acceptable impact that will occur when services are provided to communities to meet the public need. Bell is aware of the public interest related to urban aesthetics and the design of the public realm. However, this interest must be balanced with the need to provide communities with essential public services, such as utilities and telecommunication services. We are willing to work with municipalities to ensure compatibility between our larger infrastructure and the surrounding area. However, inflexible guidelines create very real concern, which may result in an inability to serve a community's needs.

We would also note that telecommunications towers are regulated by policies put in place by Industry Canada, which includes input from lower and upper-tier municipalities. As a result, we would ask Regional staff to add the following modifications to Section 8.4.4.3 and would be happy to discuss this further to provide greater context if this would be of assistance:

- "8.4.4.3 To develop comprehensive site planning and design guidelines to provide direction for the development of wireless infrastructure including:
- a) locating telecommunications towers and infrastructure to the rear of lots and away from roads, where feasible, and prohibiting locating such

towers in parks—and working with utility providers to avoid sensitive areas, where feasible;

- b) minimizing adverse impacts, including visual impacts, on surrounding uses, where feasible;
- c) supporting integration into existing or new buildings and structures, where feasible;
- e) ensuring infrastructure blends in with the existing built form and natural landscapes;
- f) encouraging towers to be camouflaged where they are located in sensitive areas, including the Countryside, open space and residential areas." Note that we are recommending the removal of this policy as it is addressed in subsection b).

We were pleased to see that the City has included a policy to consider the potential impacts on existing utility infrastructure and opportunities for enhancement and/or replacement. To bolster this we would suggest that a policy be added to Section 8.4.4 to ensure that sufficient utility infrastructure will be available to meet current and projected needs, as follows:

8.4.4.X To engage utility providers early in the development process to ensure that sufficient services are or will be in place to support proposed growth and development.

Definitions (Section 10.2.2)

We understand that for terms not defined within the document that the standard meaning is implied; therefore, it is our assumption that the definition of infrastructure in the Provincial Policy Statement will apply. However, as the term utility is used throughout the document, we continue to request that a definition be included in the Plan in Section 10.2.2, as follows:

Utility: "means an essential public service such as electricity, gas, television or communications/telecommunications that is provided by a regulated company or government agency."

2. WOODBRIDGE CENTRE SECONDARY PLAN

Based on a report brought forward to City of Vaughan Special Committee in August 2010, it is our understanding that City of Vaughan staff felt our proposed input into the Woodbridge Centre Secondary Plan was too generic and therefore it was not incorporated into the final document.

Section 1.3 of the Secondary Plan states that "the primary focus of the Plan is to provide guidance for development and investments in the Woodbridge Centre" and utilities, such as telecommunications, are a key component of the infrastructure required to support growth and development. We recognize that the majority of the development that will occur in this stable neighbourhood will be in the form of intensification; however, this can create the need for reinforcement and replacement of the existing support infrastructure. Reinforcement and replacement of the telecommunications network can represent an extensive and costly undertaking, which needs to be managed to avoid disruption of public services, such as 911. As a result, we would recommend that a utility section be added to the Secondary Plan which includes the following policies:

Utilities

- 1. The City shall undertake discussion with utility providers to ensure that adequate utility networks, are or will be, established to serve existing and anticipated development within the Woodbridge Centre.
- 2. Utilities shall be planned for and installed in a coordinated and integrated manner in order to be more efficient, cost effective and minimize disruption.
- 3. The City will encourage utility providers to consider innovative methods of containing utility services on or within streetscape features such as gateways, lamp posts, transit shelters, etc, when determining appropriate locations for large utility equipment and utility cluster sites.

We would note that similar policies have been incorporated into other Secondary Plans approved by the City of Vaughan.

3. WEST VAUGHAN EMPLOYMENT AREA SECONDARY PLAN

We were very pleased that the City incorporated our suggested modifications related to the provisioning requirements and role of utilities, such as telecommunications, within the right-of-way in the transportation and road policies. However, to further support these policies, we would continue to request that a general provision be provided in Section 2.6

(Implementation) which ensure that sufficient infrastructure is in place to meet the needs of this area. This is particularly important with respect to ensuring that the City's employment lands provide the necessary services to support companies in competing in a global economy. A key component of this success lies in ensuring a state-of-the-art communications/telecommunications system is in place. As a result, we would recommend that the following be added to Section 2.6:

2.6.7 To undertake discussions with utility providers to ensure that sufficient infrastructure is or will be in place to meet existing and future servicing needs, and that appropriate locations for larger infrastructure facilities are determined.

We would like to thank you again for the opportunity to provide comments as part of the Region's review and approval of the City of Vaughan Official Plan – A Plan for Transformation (Volume 1), the Woodbridge Centre Secondary Plan and the West Vaughan Employment Area Secondary Plan. Please advise Bell of any further meetings, reports, decisions, etc. related to this matter and forward them to our Development and Municipal Services Control Centre.

Mr. John La Chapelle, MCIP, RPP
Manager – Municipal Relations
Access Network Provisioning, Ontario
Development and Municipal Services Control Centre
Bell Canada
Floor 5 BLUE, 100 Borough Drive
Toronto, Ontario
M1P 4W2

If you have any questions, please direct them to the undersigned.

Yours truly,

John La Chapelle, MCIP, RPP Manager – Municipal Relations

Access Network Provisioning, Ontario

Wayne Corrigan - Associate Director - Access Network - Bell Canada Rick Engelhardt - Associate Director - Access Implementation - Bell Canada John Zipay - City of Vaughan Chris Tyrrell - MMM Group Ltd

Ko, Augustine

From: Shaylagh McLaren [McLarenS@mmm.ca]

Sent: November 30, 2010 1:13 PM

To: Ko, Augustine

Cc: john.lachapelle@bell.ca; Chris Tyrrell; Zipay, John

Subject: Bell Canada Input re Regional Approval of Vaughan Official Plan and Associated Secondary

Plans

Importance: High

Attachments: Bell Canada Input on the Regional Approval of the Vaughan OP and Associated Secondary

Plans (Nov 30, 2010).pdf

Hi Augustine,

Our client Bell Canada is pleased to have the opportunity to continue to provide input into the City of Vaughan's Official Plan and Secondary Plans. The attached letter outlines Bell's comments on the City's Official Plan, Woodbridge Centre Secondary Plan and West Vaughan Employment Area Secondary Plan. We would ask that these comments be considered as part of the Region's review and approval process. If you have any questions, please feel free to contact Mr. John La Chappelle - Manager, Municipal Relations - Access Network Provisioning Ontario - Bell Canada, directly.

Thank you for your time and consideration,

Shaylagh

Shaylagh McLaren, B.E.S, MCIP, RPP Senior Planner, Planning & Environmental Design Associate MMM Group Limited 100 Commerce Valley Drive West Thornhill, ON L3T OA1 t: 905-882-1100 x6832 / f: 905-882-0055 mclarens@mmm.ca / www.mmm.ca

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The Region of Peel is the proud recipient of the I Excellence, Quality; the National Quality Institute Canada Healthy Workplace; and a 2008 IPAC/Deloitte Public Sector Leadership Gold Award.

November 29, 2010

Mr. Augustine Ko Senior Planner Regional Municipality of York 17250 Yonge Street Newmarket, ON L3Y 6Z1

Dear Mr. Ko:

Re: Official Plan for the City of Vaughan

Thank you for circulating the new Official Plan for the City of Vaughan, adopted by Vaughan Council on September 7, 2010 for our review.

We have reviewed it and have no comments to offer.

We would appreciate being notified of York Region's decision on the new Official Plan for the City of Vaughan.

Yours truly,

Basil Gurusinghe Principal Planner

Development Services

TOWNSEND AND ASSOCIATES

BARRISTERS AND SOLICITORS

PLEASE REFER TO: Jennifer Meader (Ext. 225) Email: jennifer.meader@ltownsend.ca Assistant: Marie Wakefield (Ext. 226) E-mail: marie.wakefield@ltownsend.ca

November 25, 2010

Regional Municipality of York 17250 Yonge Street Box 147 Newmarket, Ontario L3Y 6Z1

Attention: Mr. Denis Kelly, Regional Clerk

Dear Sir:

Re: Cit

City of Vaughan Official Plan

Notice of Region of York Decision

We understand that the City of Vaughan recently passed By-law No. 235-2010 to adopt the new Official Plan for the City of Vaughan and that the proposed official plan has been forwarded to the Region for approval. We hereby request a copy of the Notice of Decision of the Region with respect to the City of Vaughan's Official Plan, when issued. Please send such notice to the address noted below.

Thank you.

Yours truly,

TOWNSEND AND ASSOCIATES

Jennifer Meader



November 19, 2010 File No. 4020

Region of York 17250 Yonge St. Newmarket, ON L3Y 6Z1

ATTENTION: Mr. Bryan Tuckey, Commissioner of Planning & Development Services

Dear Sir:

Re:

City of Vaughan Official Plan Approval 4477 & 4455 Major Mackenzie Drive

Southeast Corner of Major Mackenzie Drive & Pine Valley Drive

City of Vaughan

Weston Consulting Group is the planner for L-Star Developments, the owner of 4477 and 4455 Major Mackenzie Drive. The new City of Vaughan Official Plan, as approved by City Council, proposes to designate the subject properties as 'Low-Rise Residential'. As discussed in this report, the planning context for the subject properties indicates that a more intensive land use designation is warranted. We request your assistance to re-designate the subject properties for 'Mid-Rise Residential' land uses.

Location of Subject Property

The Subject Properties are located at the south-east quadrant of Major Mackenzie Drive West and Pine Valley Drive in the City of Vaughan as shown in **Figure 1**. Both Major Mackenzie Drive and Pine Valley Drive are **Major Arterial** roads in the new City Official Plan. Major Mackenzie Drive is also identified as a **Regional Transit Priority Network** in the York Regional Official Plan (2010 Ministers Modified Copy). The Site is one of the last remaining undeveloped parcels in Block 12 with significant development already approved, or applications submitted, for parcels surrounding the subject property to the east and south.

Both properties are occupied by single family dwellings. A row of trees lines the southern boundary of the sites. Adjacent land uses include:

- West the Kortright Centre which offers a significant natural open space feature for existing and future development in the local urban area;
- North –Single family residential uses;
- East Estate Residential and single family residential uses; and

Since 1981

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• **South** – lands that are subject to development applications for a 9-storey *Mid-Rise Residential* development and open space.

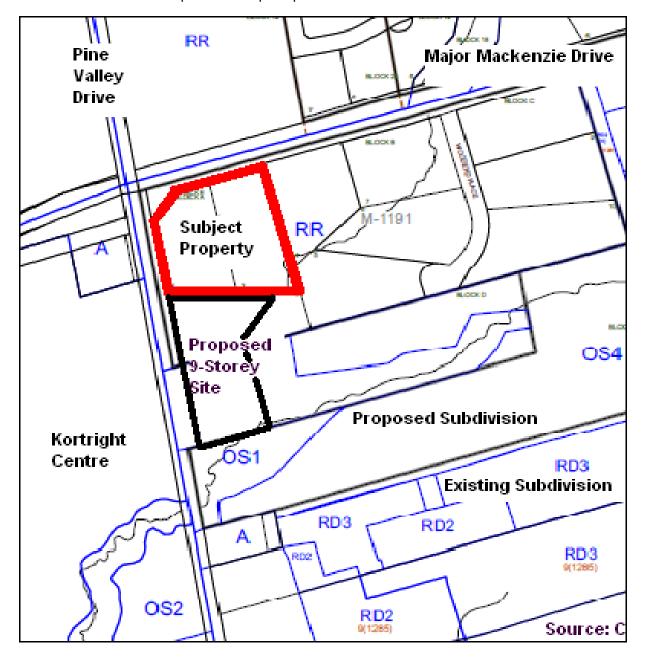


Figure 1: Location of Subject Property

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Description of Subject Property

The western property (4477) occupies the south-east corner of Major Mackenzie Drive and Pine Valley Drive. The eastern property (4455) is adjacent. Each parcel is approximately 1.0 ha (2.5 acres) in size for a total of 2.0 ha (5 acres) as shown in **Figure 2**.

The properties have approximately 137m (450 ft.) of frontage on Major Mackenzie Drive and 124m (407 ft.) of frontage on Pine Valley Drive and contain a ravine with a small wooded area in the south-east corner. A 30m daylight triangle is found at the intersection of the two major roads.

Based on an inspection of available mapping for the subject property, it is estimated that approximately 0.2 ha (0.5 acres) of the property comprise natural valley and woodlot. An estimated 1.8 ha (4.5 acres) of the site are suitable for development.



Figure 2: 4477 & 4455 Major Mackenzie Drive W., Vaughan

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Planning Framework

Provincial Policy Statement (2005)

The Provincial Policy Statement (PPS) provides a policy foundation for regulating land use and development within Ontario. The PPS encourages "efficient land use and development patterns" as they support "strong, liveable and healthy communities, protect the environment and public health and safety, and facilitate economic growth". All decisions that affect planning matters "shall be consistent" with the 2005 PPS.

The PPS focuses on development patterns that optimize the use of land and resources by encouraging intensification and directing growth away from sensitive or significant areas and resources.

Policy 1.1.1 states that "Healthy, liveable and safe communities are sustained by:

- (a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- (b) accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space uses to meet long-term needs;
- (d) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- (e) promoting cost-effective development standards to minimize land consumption and servicing costs.
- (g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.

Policy 1.1.2 further states that "Sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas, to accommodate an appropriate range and mix of employment opportunities, housing and other land uses to meet the projected needs for a time horizon of up to 20 years."

The proposed development allows for more effective and efficient use of the subject lands. The proposed *Mid-Rise Residential* development supports intensification of the site and contributes to a vibrant neighbourhood. The proposed development will be integrated into the existing community, with full municipal services and facilities already in place.

The proposed *Mid-Rise Residential* development is supported by regular transit service on both Major Mackenzie Drive and Pine Valley Drive. The proposed Highway 7 Transitway is accessible via the Pine Valley Drive transit route. Higher level transit is also available via the Major Mackenzie Drive transit route connection to the GO Bus station at Highway 400. In addition, Major Mackenzie Drive is identified as a *Regional Transit Priority Network* in the York Regional Official Plan (2010 Ministers Modified Copy).

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The PPS states that "Settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted (Policy 1.1.3.1). Land use patterns within these areas shall encompass densities and a mix of land uses which efficiently use land and resources. Development in these areas should be based on existing or planned infrastructure and public service facilities, rather than depending on uneconomical expansions and should minimize negative impact on the environment (Policy 1.1.3.2)

Policy 1.1.3.3 states "Planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated, taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected need.

The subject property is located within an existing residential area with municipal services and community infrastructure already in place. Public transit is easily accessible as discussed above. A *Mid-Rise Residential* development would efficiently utilize existing services and not require additional infrastructure investment.

The PPS states, in Policy 1.4.3, that "Planning authorities shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

- (c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- (d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of alternative transportation modes and public transit in areas where it exists or is to be developed.

The proposed *Mid-Rise Residential* development will contribute to the generation of housing to meet future needs, while efficiently using land and resources. This development will also bring a higher density housing form to an area dominated by ground-related single family homes. This will increase housing choices and provide additional support for the existing transit systems and the planned *Regional Transit Priority Network*. The proposed development will complement neighbourhood commercial and employment uses while supporting existing and planned infrastructure improvements in the area.

Policy 1.6.5.4 states "A land use pattern, density and mix of uses that minimizes the length and number of vehicles trips and supports the development of viable choices and plans for public transit and other alternative transportation modes, including commuter rail and bus should be promoted". Policy 1.6.5.5 states "The PPS states that transportation and land use considerations shall be integrated at all stages of the planning process."

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The subject site is located within a settlement area and provides an opportunity for intensification as specified in the PPS policies. The proposed redevelopment of the site will utilize existing transit resources and support higher order transit initiatives such as the Regional Transit Priority Network on Major Mackenzie Drive, the Regional Transitway on Highway 7 and the Provincial GO Bus system on Highway 400.

Places to Grow: Growth Plan for the Greater Golden Horseshoe (2006)

The Growth Plan identifies the subject properties as being located within the Built-Up area of the Greater Golden Horseshoe. Policy 2.2.2.1 states that "Population and employment growth will be accommodated by:

- a) directing a significant portion of new growth to the built-up areas of the community through intensification
- d) reducing dependence on the automobile through the development of mixed-use, transit-supportive, pedestrian-friendly urban environments
- e) providing convenient access to intra- and inter-city transit
- j) directing major growth to settlement areas that offer municipal water and wastewater systems and limiting growth in settlement areas that are serviced by other forms of water and wastewater services."

The subject properties are located within the *built-up area* of the City with municipal water and wastewater systems already in place. The properties are adjacent to two existing transit lines which provide direct access to higher order transit systems: the planned *Regional Transit Priority Network* on Major Mackenzie Drive, the proposed Regional Highway 7 Transitway, and the Highway 400 GO Bus system.

As indicated in Section 2.2.3.1, by the year 2015 and each year thereafter, "a minimum of 40 percent of all residential development occurring annually within each upper- and single-tier municipality will be within the built-up area". Furthermore, Section 2.2.3.6 also requires that municipalities:

- b) "encourage intensification generally throughout the built-up area
- f) facilitate and promote intensification
- i) plan for a range and mix of housing, taking into account affordable housing needs".

Development of the subject property for a *Mid-Rise Residential* development would support the objectives of the Growth Plan by providing a different housing form thus contributing to the range and mix of housing in the area. This intensification would support existing and planned transit systems and utilize existing servicing infrastructure.

York Region Official Plan (June 1, 2008 Consolidation)

The York Region Official Plan (YROP) designates the subject properties as part of the City of Vaughan's "*Urban Area*". Both Major Mackenzie Drive and Pine Valley Drive are

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designated as Regional Arterial Roads with 36m rights of way in the Regional Official Plan.

Sections 5.2.1 and Section 5.2.2 require that the majority of growth be directed to the urban areas identified in the Official Plan and that area municipalities, in cooperation with the Region, develop and monitor growth management strategies prior to the expansion of the urban areas and/or major growth in towns and villages. These growth management strategies are to be implemented through official plans and secondary plans, and are to be based on the policies of the YROP including:

- b) promotion of infill and redevelopment, that shows consideration for the existing built-form and surrounding land-uses of the community through appropriate building design and massing;
- c) provision for efficient and mixed-use compact communities

Furthermore, Section 5.2.4 "targets a minimum 30% of the Region's forecasted population increase to existing built-up portions of urban areas" and by redevelopment of under-utilized areas and areas in transition.

Map 10 of the Regional Official Plan indicates that Major Mackenzie Drive is a *Regional Transit Grid Trunk Route*. The subject property is located at the western terminus of this Trunk Route.

Section 7.2 of the Regional Official Plan (2008) establishes policies that focus on *The Transit Network*. Section 7.2.6 directs that higher transit usage be achieved through:

- a) minimizing the walking distance to anticipated transit stops through such measures as the provision of walkways and more direct road patterns...
- c) locating medium and higher density urban development adjacent to transit-intensive urban arterial roads

Section 7.2.11 states that it is the policy of Council "to provide, as early as possible, where appropriate and feasible, preferential treatment for transit vehicles on Regional roads, including the construction of high-occupancy vehicle (HOV) lanes, reserved bus lanes, bus priorities at traffic signals or other bus priority measures direct at achieving the principles of policy 6.2.6".

A Mid-Rise Residential land use designation supports these Regional policies by providing residential development at densities that provide greater support for the proposed expansions and improvements to the transit network. This will result in a more efficient Regional infrastructure investment as the objectives listed in policy 7.2.1.1 are achieved. In addition, development of the subject property can be designed to bring the structures close to the street to minimize walking to the transit stop.

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York Region Official Plan (2010 Ministers Modified Copy)

Regional Council approved the new Official Plan in December 2009. This plan, with modifications, received Ministers approval in September 2010. While the plan is under appeal, it is relevant to examine the proposed development against policies within this plan to demonstrate that the proposed development is consistent with the new Official Plan.

Section 7.2 of the York Region Official Plan (2010) contains policies dealing with moving people and goods. This Section contains the following objective for Transit service: "To provide transit service that is convenient and accessible to all residents and worker of York Region". This Objective is supported by a range of policies in Section 7.2 including:

- 21) to develop transit corridors and related infrastructure necessary to establish the York Region Transit and Viva network as illustrated on Map 11
- 24) to provide preferential treatment for transit vehicles on Regional streets designated as Regional Transit Priority Network on Map 11, including the construction of high-occupancy vehicle lanes, dedicated transit lanes, transit signal priority and other transit priority measures
- 25) to achieve higher transit usage by supporting improvements in service, convenient access and good urban design, including the following:
 - a. minimizing walking distance to planned and existing transit stops through measures such as the provision of walkways, sidewalks and more direct street patterns....
 - d. Directing medium- and high-density urban development to rapid transit corridors
- 36) To require local municipalities to include policies in local official plans to implement the Transit Network shown on Map 11, consistent with the policies of this plan.

Major Mackenzie Drive is identified as a *Regional Transit Priority Network* on Map 11 of the York Region Official Plan (2010). This *Regional Transit Priority Network* on Major Mackenzie Drive spans the full municipality from the western to the eastern boundaries. The previous Official Plan located the western terminus of the Network at Pine Valley Drive. Thus, the importance of Major Mackenzie Drive as a transit supportive corridor has increased. As per the policies above, this road is a priority for additional transit infrastructure and medium to high-density urban development is to be directed to this corridor.

The subject property is located at the intersection of the *Regional Transit Priority Network* on Major Mackenzie Drive and an existing north-south transit line on Pine Valley Drive. A *Mid-Rise Residential* development at this location is consistent with the Regional Transit policies listed above and would support the increased transit infrastructure investment indicated in the policies. In addition, the development will be designed to bring the structures to the street edge minimizing walking distances to transit stops.

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Current Official Plan: OPA 600 Vellore Urban Village 1

One of the key themes identified in the *Fundamental Elements* of the Plan is "compact and efficient urban form, based on a well-defined urban structure, and a comprehensive approach to planning, which integrates land use, urban design, major infrastructure and the public transit system". OPA 600 (see **Figure 3**) plans for the provision of municipal services to all new development areas within the plan, including the Subject Property.

The Subject Property is designated '*Estate Residential*' in OPA 600 of the current City Vaughan Official Plan. This designation directs development towards large lot single family dwellings with private water and wastewater services. The Vellore Urban Village Plan (OPA 600), as discussed in the key themes, intends for future development to be serviced with full municipal services in a compact urban form (see Figure 3).

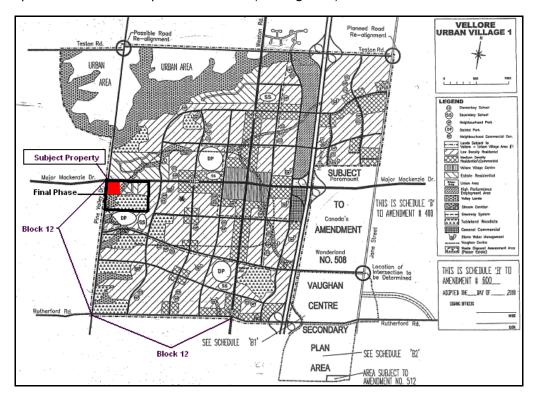


Figure 3: OPA 600 - Vellore Urban Village 1

New City of Vaughan Official Plan

As discussed, the new City of Vaughan Official Plan designates the subject properties for *Low Rise Residential* land uses. This designation is characterized by a focus on residential and institutional uses with *Low-Rise Buildings* having a *maximum of three storeys in height*. (Section 9.2.3.4). Building form can include detached houses, semi-detached houses, townhouses, and institutional buildings.

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The *Mid-Rise Residential* land use designation allows for a more intensive form of land development. While the designation also focuses on residential and institutional lands uses, *Mid-Rise Buildings* are permitted to reach a maximum height of twelve storeys in height (Section 9.2.3.5). Small scale convenience retail land uses are also permitted at the corner of an arterial road.

Guidance is provided in the Official Plan for the proper implementation of the interface between low rise residential buildings and mid-rise residential buildings. The Official Plan also anticipates that *Mid-Rise Residential* land uses will be "generally located in Intensification Areas and shall consist of primarily residential buildings" (Section 9.2.2.3.a).

Relevant Development Applications

9909 & 9939 Pine Valley Drive

Royal Pine Homes, the owners of the abutting lands to the south (9909 & 9939 Pine Valley Drive), have submitted planning applications to develop the properties for high density residential uses consistent with the new *Mid-Rise Residential* designation. The property is 5.04 ha (12.4 acres) in size. Approximately 1.1 ha (2.7 acres) of tableland is available for development. The remaining 3.94 ha (9.7 acres) is composed of valley lands and woodlot.

The development proposes a 9-storey apartment building with a maximum of 132 self-contained apartment units. The owner has indicated that they intend to market the project as an adult lifestyle development. While the *High Density Residential Commercial* designation permits a maximum density of 115 units per ha, the application proposes a density of 120 units per ha (as shown in **Figure 4**). The application proposes to re-designate the developable portion of the property from *Estate Residential* to *High Density Residential Commercial* (*OPA 600*). The zoning is proposed to be changed to *RA2 Apartment Residential Zone*. Various modifications to the Zoning By-law have been requested to implement the development.

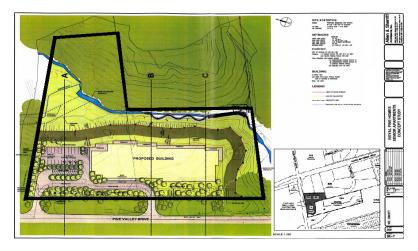


Figure 4: Royal Pine Homes Proposed Site Plan

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A public hearing has been held and Council has directed staff to undertake a detailed review of the application. The landowner has undertaken delegations as part of the City of Vaughan Official Plan Review process and has requested that the property be designated *Mid-Rise Residential* to be consistent with the proposed development.

Subdivision 19T-03V20 and Woodend Place

As discussed, Estate Residential land uses are found to the east of the subject properties. These are primarily located on Woodend Place (see Figure 5).



Figure 5: Major Mackenzie Drive Property Overview

Woodend Place is adjacent to the subject properties to the east. It is comprised of six estate residential lots that are zoned Rural Residential. An inspection of available mapping indicates that each of these lots in greater than 1 ha in size. Each lot is occupied by a single family residential home.

In 2006, the City approved Plan of Subdivision 19T-03V20 for the lands adjacent to Woodend Place (see Figure 6). This plan created several blocks and 32 single family residential lots abutting the eastern lots on Woodend Place. The new lots are zoned RD3 with frontages of approximately 12m and lot depths of 32m – 37m. The minimum lot area in the RD3 zone is 324m².

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This approved Plan of Subdivision is significantly denser than the adjacent Woodend Place lots. This is demonstrated by the minimum lot size requirement in the subdivision which is less than 3% of the size of the existing lots on Woodend Place. The subdivision represents a major change in land use and area character from the previous Rural Residential designation.

The Plan of Subdivision also created a Future Development block (Block 42) on the lands between Street B and the Woodend Place lots (see Figure 6). The creation of a Future Development Block and a single loaded internal road indicates that development is intended to continue westward towards Pine Valley Drive. Thus, it appears that the future development of the Woodend Place lots has been anticipated by the City.

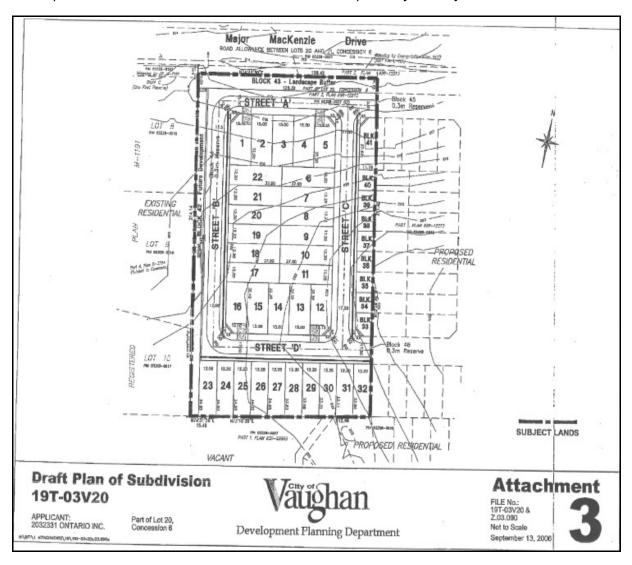


Figure 6: Draft Plan of Subdivision 19T-03V20

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Summary

Based on the discussion above, it is apparent that the Major Mackenzie Drive/Pine Valley Drive area is in transition and requires a more comprehensive approach to planning. Smaller lot, single family development is approaching from the east and a development consistent with the *Mid-Rise Residential* designation is proposed to the south.

The area is well served by municipal water and wastewater services, community infrastructure and transit services. Major Mackenzie Road is identified as a *Regional Transit Priority Network* in the new Regional Official Plan which will be the focus of significant transit investments in the future. Convenient access is also provided to higher order transit systems planned for Highway 7 (Transitway) and the existing GO bus service on Highway 400.

The proposed land use is supported by policies in the PPS (2005), the Places to Grow Plan, the current York Regional Official Plan (2008) and the minister-approved York Region Official Plan (2010).

Given this context, it would be appropriate for the subject properties to be designated for *Mid-Rise Residential* land uses with a height maximum that is consistent with the abutting development proposed to the south.

This is consistent with proposed Intensification Area policies in the new Official Plan as the amount of development that can be achieved on the subject properties is modest in relation to the growth of the City. This will not interfere with the new Official Plan policy 2.2.5 which states that "the vast majority of residential development within the built boundary will take place within Intensification Areas".

In addition, the Official Plan contains policies to address the integration of a *Mid-Rise Residential* development adjacent to Low Rise Residential development. Thus, the character of the future development on the Woodend Place lands will be protected.

Changing the designation of the subject properties to *Mid-Rise Residential* represents good planning as:

- It reflects the changing planning context in the Major Mackenzie Drive/Pine Valley Drive area;
- It will utilize existing infrastructure eliminating the need for future municipal infrastructure investment in water and wastewater services or community facilities;
- It is consistent with the *Regional Transit Priority Network* designation for Major Mackenzie Drive by providing a more dense form of development that will support the planned Transit infrastructure investment;
- The *Mid-Rise Residential* land use can be effectively integrated into the existing area by utilizing the direction provided by Policies in the new Official Plan which address the transition between Low Rise Residential developments to the east and the proposed *Mid-Rise Residential* development;

Page 14 November 19, 2010

 It represents transit supportive development in an area served by direct access to existing transit service, the planned Regional Transit Priority Network and higher level transit systems on Highway 400 (GO Bus) and planned for Highway 7 (Transitway);

- The Mid-Rise Residential land use designation supports the increased importance of Major Mackenzie Drive as a Regional Transit corridor; and
- It is consistent with the transit supportive policies in the PPS (2005), Places to Grow Plan, York Region Official Plan (2008) and the Minister approved York Region Official Plan (2010).

Thank you for your consideration of our request. Should you have any questions, or require additional information, please contact the undersigned.

Yours truly

Kurt Franklin BMath MAES

Vice President

Cc: Mr. Jeffrey A. Abrams, City of Vaughan

Mr. John Zipay, City of Vaughan Ms. Denis Kelly, Region of York Mr. Augustine Ko, Region of York

Councillor Tony Carella, City of Vaughan

D06.2010.V.01.053

SHERMAN · BROWN · DRYER · KAROL

November 17, 2010

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

Regional Clerk
Corporate Services Department
York Region Administration Building
17250 Yonge Street, 4th Floor
Newmarket, Ontario
L3Y 6Z1

Attention: Mr. Jeffrey A. Abrams, City Clerk

Attention: Mr. John Zipay, Commissioner of Planning

Attention: Denis Kelly, Regional Clerk

Attention: Bryan Tuckey, Commissioner of Planning and Development Services, York Region

Dear Sirs:

Re: Proposed Redevelopment of the properties municipally known as 165, 170, 180, 182, 201, and 229 Pine Grove Road in the City of Vaughan

Request to formally consider our client's proposed "Mid-Rise Residential" proposal when considering the final policies of New City of Vaughan Official Plan, adopted by Council in September of 2010 (the "New Official Plan")

We are the solicitors for Cityzen Development Group, who have recently acquired the properties municipally known as 165, 170, 180, 182, 201 and 229 Pine Grove Road in the City of Vaughan (the "Site"). The Site is located in the area east of Islington Avenue, south of Langstaff Road. More specifically, the Site is comprised of the properties located on the east side of the north/south portion of Pine Grove Road and the properties located on the south side of the east/west portion of Pine Grove Road. The Site

immediately abuts an open space area along its north and eastern boundary, with low density residential uses located to the east, north and west of the Site and surrounding open space lands, with mid-rise residential uses to the immediate south.

The New Official Plan, adopted by City Council, but not yet finally approved by the Region of York, proposes to re-designate those portions of the Site which were formerly "Industrial" to "Commercial Mixed-Use (1)" and the remainder of the Site to "Parks" and "Low-Rise Residential". Those portions of the Site designated as "Parks" fall within the "Special Policy Area" of the Provincial Flood Plain Planning Policy.

The prior owner of the Site had been actively involved in the consultation process leading up to the City of Vaughan's passage of its New Official Plan. That prior owner, through its consultants, had requested that the City consider applying a "High Density Residential" designation to the Site. While the new owner of the Site is interested in pursuing a residential redevelopment of the subject lands, the proposed 132 stacked townhouse development is at an extremely modest density, which would require a "Mid-Rise Residential" designation over that portion of the lands to be redeveloped, with a significant portion of the lands to remain as "Parks", which lands would be conveyed to the City for public park purposes.

Our client is in the process of finalizing its formal application submission, with its design resulting in a compatible fit with the surrounding residential uses, which proposal our client would hope is recognized with an appropriate amendment to the Council approved policies of the New Official Plan, before such policies are finally adopted by the Region of York.

Our client's formal request is to re-designate a portion of the Site outside of the Special Policy Area to 'Mid-Rise Residential', a small portion of the Site within the Special Policy Area to "Mid-Rise Residential", with the remainder of the Site remaining as "Parks", which lands, as noted above, would be conveyed to the City for public ownership and use.

We are hopeful that both the current and prior owner's involvement in the planning process is helpful in arriving at a cooperative resolution of its concerns, which we are confident can be achieved by way of continued consultation with the experts acting on behalf of all public agencies and our client. A brief history of the consultation which has taken place since September of 2009, through the involvement of our client's planning and engineering consultants (Weston Planning Consulting Group Inc. and Cole Engineering Group Ltd.), is set out below:

September 17, 2009 – Our client's planning consultant attended the Woodbridge
Focused Area Study Community Consultation meeting, following which our client's
planning consultant discussed their concerns with the City's Senior Planner, Mr. Tony
Iacobelli, with City Staff having agreed to continued consultation to discuss the
potential for converting the existing Employment lands to non-Employment uses;

- September 25, 2009 Our client's planning consultant met with Mr. Tony Iacobelli,
 Senior Planner, to review the Special Policy Area policies and explore the potential for converting the existing Employment lands to non-Employment uses;
- October 30, 2009 Our client's planning consultant and engineer (Mr. Mark Bassingthwaite) met with Mr. Bill Kiru and one of the TRCA's engineers to consider potential modifications to the existing pedestrian bridge to lower the Regional flood line on the Site, which in turn, would permit an alteration to the existing line of the floodplain. The TRCA Engineer indicated that the TRCA would be receptive to this type of initiative as the pedestrian bridge is an artificial man-made structure that has affected the natural flood line;
- November 2, 2009 Our client's planning consultant met with the City's Official Plan
 Review Team as well as Mr. Tony Iacobelli, a City of Vaughan Senior Planner, to
 discuss the potential re-designation of the Site to non-Employment uses and the need
 for flexibility in addressing the future conversion of Employment Lands and Special
 Policy Area policies;
- November 18, 2009 Our client's planning consultant attended the Vaughan Official Plan Review update meeting to monitor the progress of the City-wide policies that could affect the Site;
- November 20, 2009 Our client's planning consultant received correspondence from Mr. Iacobelli to Ms. Sue Ciampi regarding the Woodbridge Focused Area Study, which study included the Site. The letter confirmed the potential to consider the conversion of the Employment lands and Special Policy Area policies;
- January 22, 2010 Our client's planning consultant attended a meeting with Mr. Tony Iacobelli and Ms. Anna Sicilia, planners responsible for the Woodbridge Focused Area Review Study, to discuss the Special Area Policy policies and the potential land uses for the Site. City staff proposed converting the Employment lands to Commercial uses. Our client's planning consultant suggested that High Density Residential would be more appropriate given the existing development in the area. Currently, the new owner of the Site is seeking a more modest density for the Site;
- February 11, 2010 Our client's planning consultant attended the Woodbridge Focused Area Review Public Meeting to monitor the City's progress on the preparation of the Secondary Plan;
- March 10, 2010 Our client's planning consultant prepared and submitted a letter to
 Ms. Diana Birchall, Director of Policy Planning, on behalf of the landowner
 requesting the Site be re-designated in the new Official Plan for high-density
 residential land uses. Again, the current owner of the Site is seeking a lower density
 development than previously proposed;
- March 22, 2010 Our client's planning consultant received a letter from Ms. Anna Sicilia responding to their letter of March 10, 2010. The letter stated the City would recommend leaving the current Employment designation in place and not re-designate

the subject properties for non-Employment land uses. However, at that time, a formal application had not been submitted, with the current owner of the Site currently preparing a formal application submission;

- March 29, 2010 Our client's planning consultant met with Mr. Tony Iacobelli and
 Ms. Anna Sicilia regarding the City's response. City Staff agreed to re-designate the
 Employment lands to Commercial uses. Our client's planning consultant restated our
 position that a Commercial land use would likely not be sustainable, which is now
 confirmed based upon the market evaluation prepared by Tate Economic Research
 Inc., which report will be filed in support of the proposed application to redevelop the
 Site with "Mid-Rise Residential" uses;
- March 30, 2010 Our client's planning consultant prepared and submitted a letter to the City outlining the planning rationale for the original proposal, and expressing our client's support for re-designating the Industrial to non-Employment uses;
- April 7, 2010 Our client's planning consultant attended the Woodbridge Focused Area Review Statutory Open House;
- August 31, 2010, Our client's planning consultant attended and monitored the Committee of the Whole Public Meeting for the Woodbridge Centre Secondary Plan.

Our client continues to demonstrate a committed presence and involvement in the City of Vaughan planning processes as they relate to the Site. Based upon the extensive involvement in the process to date, we are hopeful that both City Staff, Regional Staff and Ministry Staff will recognize the merit in our client's formal application to redevelop the lands with a stacked townhouse development which will both fit within the context of the surrounding area, and provide an improved upon land use in terms of its compatibility with existing surrounding residential uses. In addition, our client's proposed redevelopment of the lands will provide a significant public benefit in terms of the contribution of a significant public park area, which again, we are hopeful is positively received by all public agencies through a fulsome consultation process.

Should you have any questions or require additional information, please do not hesitate to contact the undersigned or Jessica Smuskowitz, a Student-at-Law in our office.

Yours very truly,

Adam J. Brown

cc: Paulo Stellato (Cityzen Development Group)
Peter Nikolakakos (Cityzen Development Group)
Kurt Franklin (Weston Consulting Group Inc.)
Augustine Ko, Planning, Regional Municipality of York
Tony Carella, Councilor Ward 2



FACSIMILE TRANSMISSION COVER PAGE

DATE:

November 17, 2010

OUR FILE NO.

00-1467

TO:

Mr. Jeffrey A. Abrams

Mr. John Zipay Mr. Denis Kelly Mr. Bryan Tuckey

cc:

Mr. Paulo Stellato

Mr. Peter Nikolakakos Mr. Kurt Franklin Mr. Augustine Ko Councillor Carella

FAX NUMBER:

(905) 832-8535 (905) 832-8545

(905) 895-3031 (905) 895-3482

(416) 777-0603

(416) 777-0603 (905) 738-6637

(905) 895-3482

(905) 832-8538

number of pages (including cover page): 5 pages

FROM: Jessica Smuskowitz, Student-at-Law

RE: 165, 170, 180, 182, 201 and 229 Pine Grove Road

NOTE: The information contained in this transmission is confidential and intended only for the parties to whom it is addressed. The contents of this transmission are subject to Solicitor-Client privilege and all rights to that privilege are expressly claimed and not waived. If you have received this transmission in error, please notify the writer immediately and return the original transmission to our office.

IF YOU DO NOT RECEIVE FULL TRANSMISSION, PLEASE CONTACT OUR OFFICE AT (416) 222-0344.

SHERMAN · BROWN · DRYER · KAROL PRACTISING IN ASSOCIATION



WESTON CONSULTING GROUP INC.

'Land Use Planning Through Experience and Innovation'

November 11, 2010 File No. 5129

Mr. Bryan Tuckey Commissioner of Planning Regional Municipality of York 17250 Yonge Street 4th Floor Newmarket ON L3Y 6Z1

ATTENTION: Augustine Ko

Dear Sir:

Re: City of Vaughan Official Plan (City of Vaughan By-law 235-2010)

Johny Druckmann – The Pavilion – 130 Racco Parkway Northeast corner of Dufferin Street and Caraway Drive

We are planning consultants to Johny Druckmann, the owner of The Pavilion recreational facility.

The existing Official Plan designation of the property is Commercial and the existing zoning is Restricted Commercial (C1-1073), both of which allow recreational uses and a wide range of commercial uses including eating establishments and retail stores. The subject lands are governed by OPA 450, but are not within an employment area.

The new Official Plan of the City of Vaughan designates the subject property as "Employment Area" on Schedule 1, and "Commercial Mixed Use" on Schedule 13-T.

In our submissions to the City of Vaughan dated March 22, 2010, and May 17, 2010 (enclosed), we requested consideration of a "Mid-Rise Mixed Use" designation to allow apartment development on the subject property which abuts Dufferin Street, the City's only existing physically constructed transit priority corridor.

The City did not accept that residential uses should be allowed in this location, and, further, redesignated the site in a manner that does not allow the existing recreational use and reduces the commercial development potential of the property.

We would request that consideration be given to a modification to the City of Vaughan Official Plan to address the submissions that we have made on behalf of Mr. Druckmann. We would be pleased to discuss this with you further.

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

Yours truly,

Weston Consulting Group Inc.

Per:

Alan Young BES MSc MCIP RPP

Senior Associate

CC:

Johny Druckmann, The Pavilion John Zipay, City of Vaughan Diana Birchall, City of Vaughan Grant Uyeyama, City of Vaughan





'Land Use Planning Through Experience and Innovation'

May 17, 2010 File No. 5129

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

Dear Sir:

Re:

City of Vaughan Draft Official Plan – April 2010
Johny Druckmann – The Pavilion – 130 Racco Parkway
Northeast corner of Dufferin Street and Caraway Drive
File#25.OP.1

Weston Consulting is Group Inc. (WCGI) is the planning consultant for the Johny Druckmann, the owner of The Pavilion recreational facility. In our submission to the Planning Department dated March 22, 2010 (attached), we requested that the Pavilion property be designated as an intensification site to facilitate future, partial redevelopment for two apartment buildings containing approximately 400 units.

The planning justification for this request is provided in the attached submission. In our opinion, the subject lands have an appropriate land use setting for apartment development, and are particularly suited for intensification because of <u>existing</u> public transit connections to the Downsview subway station, only 7 kilometres to the south. Because of the HOV lanes, this stretch of Dufferin Street is the <u>only</u> existing,physically constructed transit priority corridor in the City of Vaughan.

We have reviewed the draft Official Plan and offer the following comments.

The land use mapping shows a natural heritage corridor crossing the subject property (Schedule 13-S). There is no such feature on the property. The subject property is completely developed for the Pavilion recreational facility and parking. We accordingly request that the proposed "Natural Area" designation be removed.

The existing designation of the property is Commercial, not Employment. The draft Official Plan proposes to redesignate the property to Commercial Mixed Use. This redesignation would significantly narrow the range of commercial uses being allowed. No service commercial uses or recreational uses, and not even the existing use, would be permitted. The 50% cap on retail uses would also be a down-designation from the current provision in the Official Plan.

We are aware of no other site that is proposed to be down-designated from Commercial to Commercial Mixed Use. It appears that all other Commercial sites are being redesignated to permit mixed use development including residential uses. We request that this approach also be applied to this site, and that a Mid-Rise Mixed Use designation be assigned to the subject lands.

We also request that the subject property excluded from the "Employment Area" classification on the Urban Structure Plan (Schedule 1). In our opinion, this is an error because the existing designation of the property is for Commercial purposes, not Employment purposes. This classification compounds the "down-designation" of the property as described above.

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

Yours truly,

Weston Consulting Group Inc.

Per:

Alan Young, BES MSc MCIP RPP

Aran yours

Senior Associate

Cc:

Johny Druckmann

John Zipay, City of Vaughan Pino DiMascio, Urban Strategies Emily Reisman, Urban Strategies



March 22, 2010 File No. 5129

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

ATTENTION: Mr. John Zipay, Commissioner of Planning

Dear Sir:

City of Vaughan Official Plan Review Re:

Proposed Intensification Site

Aventura II Properties Inc. - 130 Racco Parkway

Block 1, Registered Plan 65M-3531

Weston Consulting Group Inc. (WCGI) has been recently retained by Aventura II Properties Inc., the owner of the "The Pavilion", located on lands municipally known as 130 Racco Parkway, in the Community of Thornhill (herein referred to as the "subject property").

We are making this submission in support of the redesignation of the subject property from General Commercial in the existing Official Plan to High Density Residential Mixed Use in the new City Official Plan. We provide this submission on the basis that the subject property holds significant potential for high density residential development that will contribute towards the achievement of the Growth Plan intensification target.

Description of Property and Surrounding Area

The subject property is located on the east side of Dufferin Street, immediately south of Highway 407 (see Attachment 1). It is 3.1 hectares (7.66 acres) in size and has approximately 150 metres (490 feet) of frontage on the west side of Racco Parkway, and approximately 110 metres (360 feet) of frontage on the north side of Caraway Drive. The site is irregular in shape and has an approximate average lot depth of 155 metres (510 feet).

The site is currently occupied by a fitness centre, an adjoining twin-pad ice arena and the following supporting uses within the complex:

Planning and Urban Design Services

- Health food store;
- Juice bar;
- Restaurant;
- Chiropractor's Office;
- Hair Salon;

- The Rich Tree Academy (private K-8 school);
- A karate school:
- A Sports academy;
- · Accessory office uses; and
- Sports bar

The fitness centre contains a swimming pool, two gymnasiums, two squash courts, a number of fitness studios, and a table tennis room. The complex was granted development approvals in 2003, and constructed in 2004.

The subject property is surrounded by a wide range of uses, including a Canadian Tire store to the south (on the opposite side of Caraway Drive); a fire hall, prestige employment uses and a place of worship to the east; a City of Vaughan stormwater management pond to the north; and Dufferin Street/Highway 407 to the west. All of the buildings within this area were constructed within the past ten years, and all present an attractive, prestige appearance.

The lands on the west side of Dufferin Street, south of Caraway Drive are occupied by a detached dwelling and a City of Vaughan operations yard. These lands are governed by OPA 555 which indicates that the priority uses for this area shall be offices, hotels with related hospitality and conference facilities, major corporate complexes, other prestige employment uses and ancillary retail and service commercial uses.

As shown on the air photo (Attachment 2), the lands to the south of Racco Parkway are occupied by a hydro corridor. At the east end of Racco Parkway there is a large City of Vaughan park known as the Concord/Thomhill Regional Park. The park includes four baseball diamonds, four soccer fields and a children's playground, all interconnected by paved recreational trailways. This trailway also runs across the hydro corridor, connecting this park with Worth Park and a low density residential neighbourhood, both located to the south of the hydro corridor.

Proposed Development

Owing to business impacts arising from the new North Thornhill Community Centre, the owner has been considering partial redevelopment options for the subject property, and has retained Wes Surdyka Architect Inc. to prepare the attached concept plan. This plan provides for the redevelopment of the arena and some of the existing parking for two 14-storey apartment buildings with 196 residential units in each building, for a total of 392 units (see Attachments 3 (Proposed Concept Plan) and 4 (Underground Parking)). The proposed building heights are similar to those of the apartments that may be found in the Bathurst/Centre area to the southeast of the site. Parking for the apartments would be provided on two underground levels.

In addition, the owner proposes to convert the existing swimming pool area, at the south end of the Pavilion, for a banquet hall. Convenience commercial space would also be provided within the existing building.

Existing Planning Framework

The proposed redevelopment of the subject lands has been considered in accordance with the applicable planning policy documents in effect for the subject lands, which are described below.

Provincial Policy Statement (2005)

The Provincial Policy Statement, 2005 (PPS) requires that upper and lower tier municipalities coordinate their land use planning efforts. It is the general intent of the PPS to encourage efficient land use planning and growth management to create and maintain strong communities. The PPS also directs the majority of growth development to designated settlement areas in order to sustain the financial well-being of the Province and municipalities over the long-term. The promotion of opportunities for intensification and redevelopment in order to accommodate projected housing and employment needs is a key principle of the 2005 PPS. The proposed development seeks to intensify and redevelop an existing site in a manner that supports the policies of the PPS.

Places to Grow: A Growth Plan for the Greater Golden Horseshoe, 2006

The Growth Plan for the Greater Golden Horseshoe ("Growth Plan") provides further direction on the management of growth within the Greater Golden Horseshoe. The plan contains principles that support intensification within existing built-up areas and supports the efficient use of land and infrastructure in order to ensure the development of healthy, safe and balanced communities. In addition, Section 2.2.2 of the Growth Plan encourages cities to develop as complete communities with a diverse mix of land uses, a range and mix of housing and employment types, high quality open space, and easy access to local stores and services.

The proposed development is in keeping with the intent of the Growth Plan as outlined by contributing to the complete communities provisions (i.e. mix of uses) and by providing new housing and employment opportunities through the intensification of presently underutilized land in an appropriate land use setting.

New Region of York Official Plan

The new Region of York Official Plan (Regional OP) was adopted by Regional Council in December 2009. The Regional OP designates the subject property as *Urban Area*. These areas are intended to accommodate the forecasted growth targets for the Region. The Regional OP plans to accommodate 90,720 additional units throughout the Region, of which, the City of Vaughan is to provide 29,300 (or 32.3%) of these units by the year 2031.

The Regional OP further designates the site as *Parkway Belt West Plan*, however discussions with the Ministry of Municipal Affairs and Housing (MMAH), as well as a review of Official Plan Amendment No. 515 to the City of Vaughan Official Plan have confirmed that lands north and west of the Ontario Hydro Corridor, east of Dufferin Street, and south of Highway 407, which includes the subject property, have been removed from this designation by Parkway Belt West Plan Amendment No. 111. Discussions with the MMAH have confirmed that the MMAH no longer has any further role with regards to the potential

redevelopment of the subject property within the context of the Ontario Planning and Development Act, 1994 (the Parkway Belt West legislation).

Map 11 (Transit Network) of the Regional OP classifies both Dufferin Street and Bathurst Street (between Major Mackenzie Drive West to Steeles Avenue) as a **Special Study Area**. It is our understanding, from discussions with Regional Planning and Engineering staff that the Region has not yet determined whether Dufferin Street or Bathurst Street will be a rapid transit route. However, given the existing High Occupancy Vehicle lanes on Dufferin, and the direct connection to the TTC Downsview Subway Station, Dufferin Street has strong potential to be classified as a Regional Rapid Transit Corridor. At the very least, Dufferin Street will be a priority transit route.

City of Vaughan Official Plan Documents

With regards to the City of Vaughan Official Plan documents, the subject property is designated as *General Commercial* by the Thomhill-Vaughan Secondary Plan OPA No. 210, as amended by OPA No. 515. As such, OPA 515 permits the following uses:

- retail stores for the buying, leasing and exchanging of goods and services.
- eating establishments,
- banks,
- business and professional offices, and
- recreational and institutional uses.

The Official Plan does not permit residential uses on the subject property.

City of Vaughan Zoning By-law No. 1-88

According to Map 2B of the City of Vaughan Zoning By-law No. 1-88, as amended (Zoning By-law), the subject property is currently zoned **Restricted Commercial (C1-1073)**. The site specific C1-1073 Zone permits a wide range of commercial uses including the following uses:

- auditorium,
- automobile gas bar.
- automobile service station,
- automotive retail store,
- banking or financial institution,
- banquet hall,
- business and professional office,
- car wash.
- club or health centre.
- commercial or private school,
- community centre,
- day nursery,
- · eating establishment,
- hotel.
- laboratory,

- lodge, association or institutional hall,
- motor vehicle sales establishment,
- office building,
- personal service shop,
- photography studio,
- place of entertainment,
- place of worship.
- post office,
- radio transmission establishment.
- recreational uses.
- retail store.
- service or repair shop,
- video store, and
- veterinary clinic.

Several of the uses listed above are currently in operation within the fitness centre. In line with the Official Plan, residential uses are not permitted.

City of Vaughan Official Plan Review Process

WCGI has been monitoring the City's preparation of the new Official Plan since it began this process in 2007. A primary focus of the City's review has been accommodating the Growth Plan's residential intensification targets. The proposal for the subject property will help address these targets. The subject property holds significant potential for intensification in the form of high-rise, mixed-use residential/commercial on the property, for the following reasons:

- (a) immediate accessibility to/from Highway 407;
- (b) immediate accessibility from the Dufferin Street transit service which is accommodated with HOV lanes with a direct connection to the Spadina subway line, and which may be upgraded to rapid transit in the future;
- (c) a conducive land use setting including a naturalized stormwater management pond to the immediate north of the proposed apartments, a place of worship to the immediate east of the proposed apartments and an attractively designed fire hall to the southeast;
- (d) immediate proximity to a Canadian Tire store which retails many household items;
- (e) proximity to the Concord/Thornhill Regional Park, and a pedestrian trail connection to the low-density residential community to the south;
- (f) proximity to prestige employment uses, providing some opportunity for journeys to work by foot; and
- (g) significant distance from low density residential uses, avoiding any shadowing or overview impacts.

In June 2009, the City released a report entitled, "Where and How to Grow" which identifies a number of opportunity areas for intensification. The subject lands were <u>not</u> so identified, perhaps because the subject lands are fully developed and the existing building on the site is of recent construction. We note, however, that a number of other recently developed commercial sites have been identified as opportunity areas for intensification.

On November 2009, WCGI attended the City of Vaughan's open house on the status of the Official Plan Review Process. WCGI has reviewed the information available with respect to the subject property, which includes a proposed urban structure map and the proposed land use structure map. The subject property is proposed to be designated as *Employment Lands*, and seems to be further designated as *Prestige Employment* on the draft Urban Structure Guides Land Use map, notwithstanding its current designation and zoning for commercial uses, which excludes permissions for employment uses.

Submissions

On behalf of the owner, we request that the subject property be designated as *High-Rise Residential Mixed-Use* to take advantage of the subject property's locational attributes and the owner's interest in pursuing a residential intensification scheme, all as described above.

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

- The Provincial Policy Statement, 2005 (PPS) supports intensification and more compact, transit-supportive land use patterns. The proposed development is in keeping with these objectives; therefore we recommend that the City provide policies in the new Official Plan to accommodate this proposed development which will achieve intensification in an appropriate location.
- 2. The Growth Plan for the Greater Golden Horseshoe (2006) (Growth Plan) promotes efficient use of existing infrastructure and directs growth at higher densities and with a mix of uses to those areas best able to accommodate it. It is our view that the proposed intensification of this site is consistent with good planning principles by utilizing the existing infrastructure servicing the site.
- 3. Urban Areas within the Region of York are to accommodate the forecasted growth targets. We request that the City consider the subject property as an intensification area by providing official plan provisions that would allow for mixed-use high density development on this site which is well served by transit and which enjoys a conducive land use setting.
- 4. We support a mixed-use residential/commercial designation for the subject property in light of the recently adopted Regional OP and the contextual situation of the property being located within proximity to a large City park, and the transit service on Dufferin Street. By the year 2031, the Regional OP forecasts an additional 577,000 residents will need to be accommodated throughout the Region. This growth is to be provided in *Urban Areas*, as well as other built-up areas. The subject property is currently underdeveloped, and the proposed development represents a genuine redevelopment opportunity in the City.
- 5. Section 5.3.3 of the Regional OP states that local municipalities shall complete their own intensification strategies to meet and/or exceed a residential intensification target of 29,300 units for the City of Vaughan. It is our submission that this subject property be could be placed in the category of "local infill". (5.3.3(b)).
- 6. We oppose the proposed Employment Lands designation applied to the site. The existing Official Plan provisions permit commercial and related uses. Employment uses of a non-commercial nature are not permitted on the lands. We recommend the City recognize the commercial uses on the site, as well as the significant redevelopment opportunities for a mixed-use residential/commercial on the site for the reasons provided elsewhere in this letter.

- 7. The site has excellent road access, given its location adjacent to Dufferin Street and Highway 407, and is approximately 1,200 metres north of Centre Street, and approximately 600 metres south of Highway 7. According to the Regional OP, both Highway 7 and Centre Street are both classified as "Regional Rapid Transit Corridor". In addition, through discussions with Regional Staff, it seems likely that Dufferin Street will be classified as either a Regional Rapid Transit Corridor or a Regional Transit Priority Network due to its existing HOV lanes.
- 8. The "Where & How to Grow" report prepared by Urban Strategies Inc. indicates that the majority of the priority areas for intensification coincide with areas of the City that already have higher density development permissions. However, the report states on page 60 that.
 - "...a certain oversupply of intensification potential is necessary to allow for the market to select the most desirable of the priority areas. Factors which may impact the rate of intensification uptake include land owner willingness or interest to undertake redevelopment, market upswings/downtums, and ease of land assembly."

Although the subject property has not been included within an identified priority area, we request consideration be given to this site given its suitable location and the interest of the owner of proceeding with a redevelopment scheme.

Enclosed Materials

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

- Three (3) copies of Attachment 1: Location of Subject Property;
- Three (3) copies of Attachment 2: Land Use Context;
- Three (3) copies of Attachment 3: Proposed Concept Plan; and
- Three (3) copies of Attachment 4: Underground Parking Plan.

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

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

Yours truly,

Weston Consulting Group Inc.

Per:

Alan Young, BES MSc MCIP RPP

Aran Your

Senior Associate

cc: Johny Druckmann, Aventura II Properties Inc.

Wes Surdyka, Wes Surdyka Architect Inc. Armine Hassakourians, *City of Vaughan*

Augustine Ko, Region of York

Mayor Linda Jackson, City of Vaughan

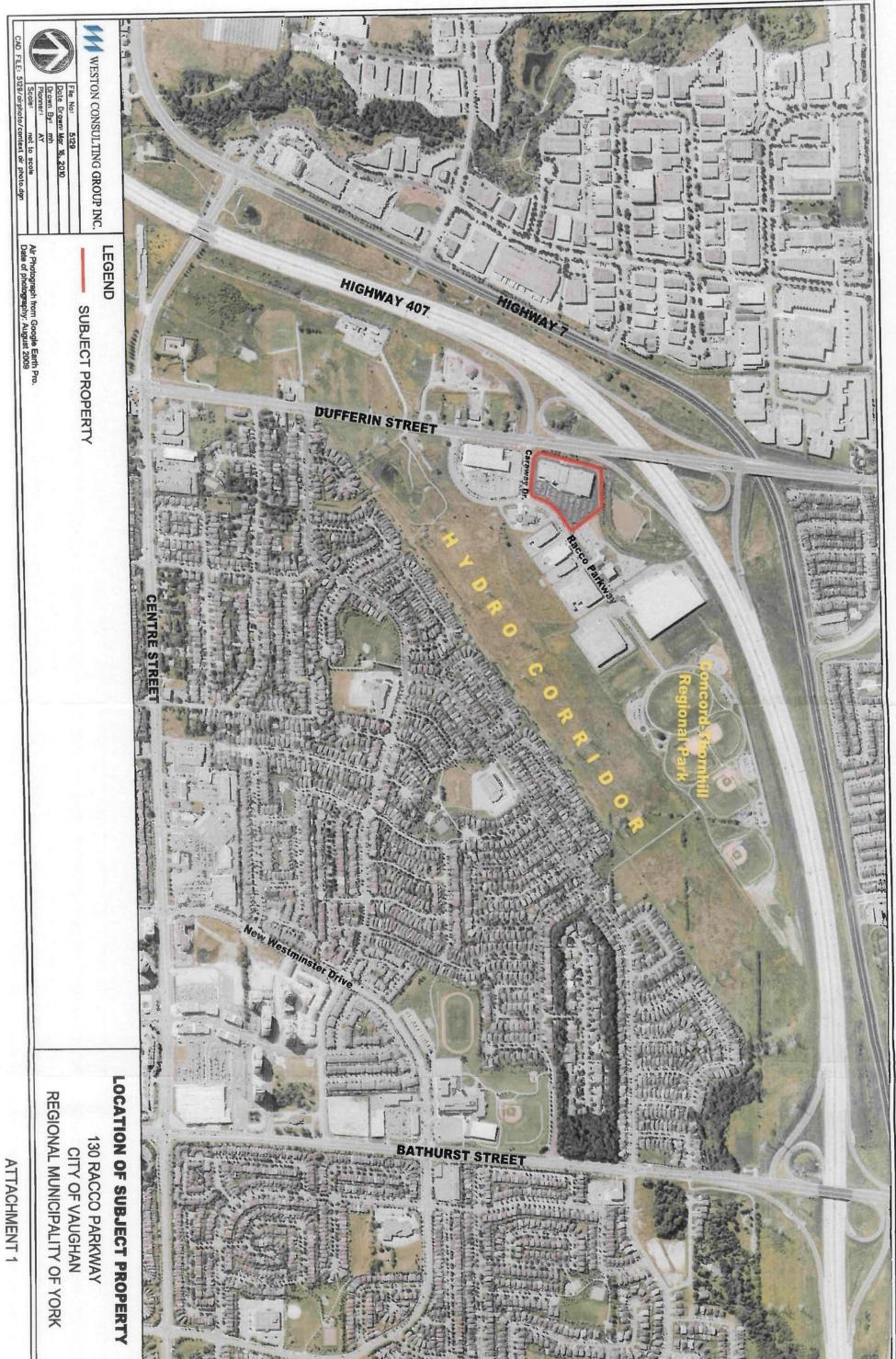
City Councillor Alan Shefman (Ward 5), City of Vaughan

Regional Councillor Joyce Frustaglio, City of Vaughan

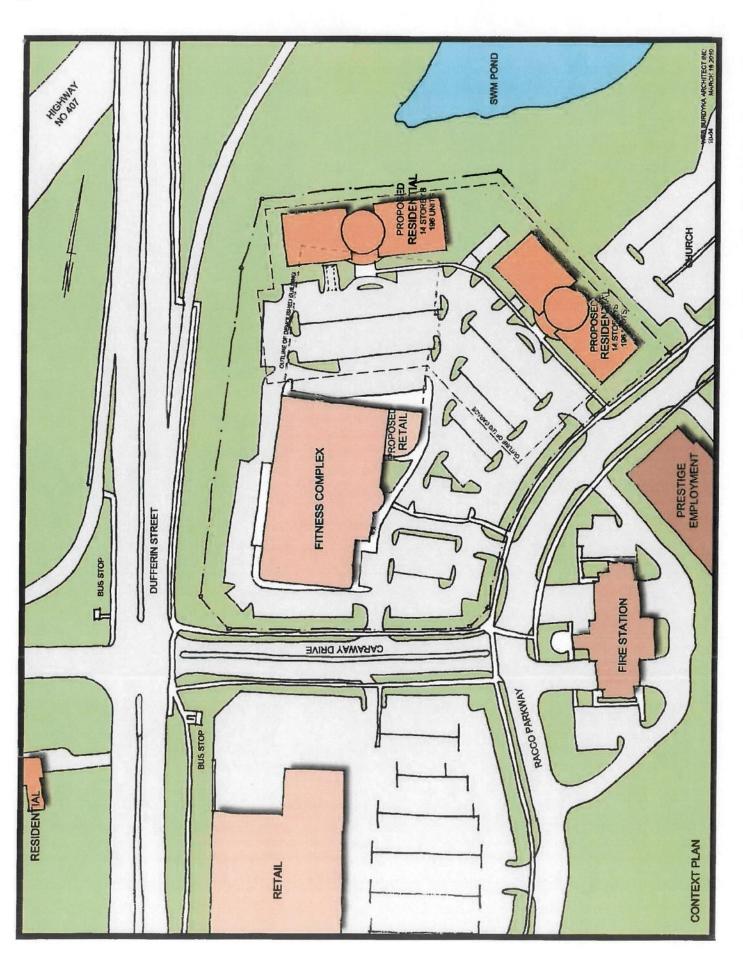
Regional Councillor Mario Ferri, City of Vaughan

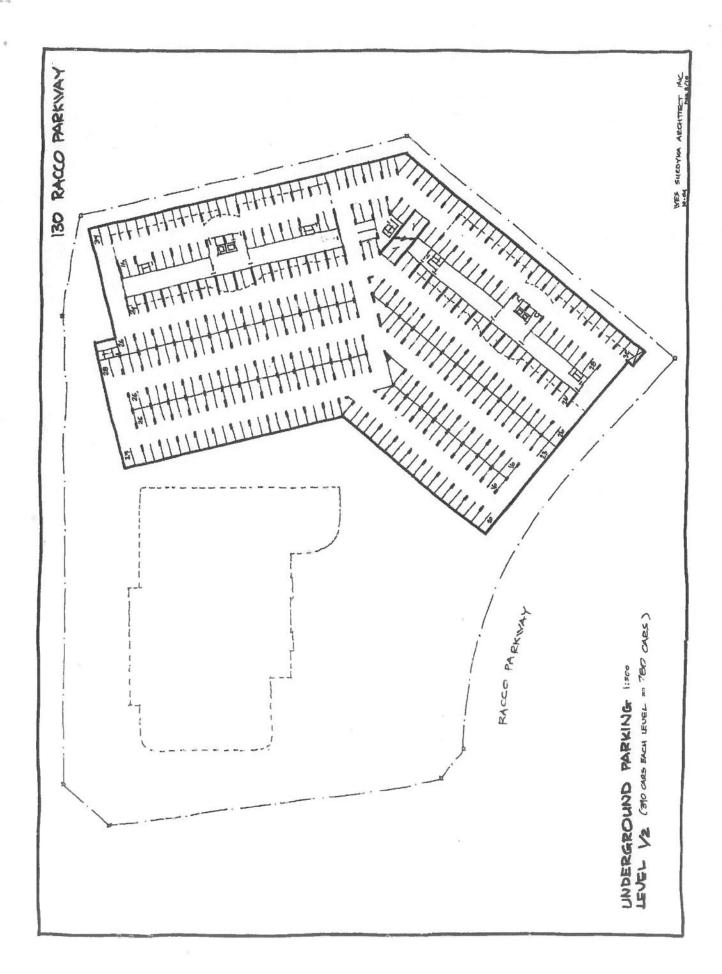
Regional Councillor Gino Rosati, City of Vaughan

Pino DiMascio, *Urban Strategies Inc.* Emily Reisman, *Urban Strategies Inc.*











WESTON CONSULTING GROUP INC.

'Land Use Planning Through Experience and Innovation'

Land Use Planning Through Experience and Innovation

CLAN O L 2000

November 1, 2010 File No. 3559

The Regional Municipality of York
Planning Department
17250 Yonge Street, 4th Floor
Newmarket, ON L3Y 6Z1

ATTENTION: Mr. Bryan Tuckey

Commissioner of Planning and Development Services

Dear Sir:

Re:

City of Vaughan Official Plan (City of Vaughan By-law 235-2010)

City File Nos. OP.04.019, Z.04.059, and DA.08.003

7290 Major Mackenzie Drive

City of Vaughan

Weston Consulting Group Inc. (WCGI) is the planning consultant for 3942198 Canada Inc. (Amar Transport Inc.), the owner of a property municipally known as 7290 Major Mackenzie Drive, in the City of Vaughan (herein referred to as the "subject property"). The subject property is located east of the intersection of Highway 50 and Major Mackenzie Drive and has frontage on the north side of Major Mackenzie Drive. The subject property comprises 3.73 hectares in land area.

This submission is provided in relation to the new City of Vaughan Official Plan (Volumes 1 and 2), which was adopted by City Council on September 7, 2010 (By-law 235-2010). WCGI has participated in the City's Official Plan review process on behalf of the owner of the subject property.

City of Vaughan Official Plan Background, Submissions and Deputations

In our written submission to the City dated April 16, 2010 (attached), we requested that the subject property be designated General Employment in order to permit the use of the property for a truck terminal with open storage. The basis for this request is outlined in the attached submission. This request was also conveyed to City planning staff and their consultants on numerous occasions and was the basis of a formal deputation at the Public Meeting on May 17, 2010.

The April 2010 version of the City's draft Official Plan (Volume 1) proposed a Prestige Employment designation for the subject property according to Schedule 13 and 13-F. However, the first version of the West Vaughan Employment Area Secondary Plan ("WVEA Plan", Volume 2), dated May 21, 2010, proposed a General Employment designation for the entire property according to Schedule 3: Land Use.

Since 1981

Vaughan Office:

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

1660 North Service Road East, Suite 114,

Oakville, Ontario, L6H 7G3 Tel. 905-844-8749 Page 2 November 1, 2010

WCGI had made a formal deputation at the May 17, 2010 Public Meeting requesting that a General Employment designation be applied to the subject property. We also confirmed our understanding from staff that the Schedules in Volume 1 and Volume 2 would be consistent. The City's response to our written submission was noted in Attachment 1, Part D: Mapping and Recommended Changes (Public) (attached), and stated that our request would be resolved through the finalization of the WVEA Plan.

In response to submissions made, as noted above, the May 21, 2010 version of the WVEA Plan illustrated a General Employment designation for the entire property.

On August 31, 2010, the City of Vaughan Special Committee of the Whole considered a staff report that included modifications to the WVEA Plan policies and schedules, which was based on further public consultation and submissions received. Attachment 5 of the staff report (attached), which was the proposed land use schedule for the WVEA Plan, continued to indicate a General Employment designation for the subject property. Furthermore, the staff report indicated that the schedules of Volume 1 would be modified to reflect the Council approved WVEA Plan. The August 31, 2010 staff report recommendations and attachments were adopted by City Council on September 7, 2010.

City of Vaughan Official Plan (Adopted Version)

Notwithstanding the above, the adopted version of the City's Official Plan (both Volumes 1 and 2) that was released to the public following the September 7, 2010 Council meeting, identifies a different land use designation for the subject property. The adopted version of Volume 1 Schedule 13 and 13-F and WVEA Plan Schedule 3: Land Use identifies a Prestige Employment designation for the western portion of the subject property and identifies a General Employment designation for the eastern portion of the property.

In addition to these schedule changes, Section 10.2.1.5 of Volume 1 was modified. The modified version states, "boundaries of land use designations on Schedule 13 are approximate except where delineated by a Secondary Plan..." This new policy also provides interpretation policies concerning the delineation of Prestige Employment and General Employment designations, as follows,

"For the purpose of delineating between Prestige Employment and General Employment land uses and between Commercial Mixed-Use and Prestige Employment or General Employment land uses, the use abutting an arterial street or Provincial highway shall be interpreted to extend one lot depth, up to 200 metres, in from the arterial street or Provincial highway. In all other instances, the boundaries of land use designations will be determined by a review of existing zoning by-law; prevailing lot depths; orientation of lot frontages; lot patterns; and land uses patterns."

Notwithstanding, the above policy would not apply in relation to the subject property since a Secondary Plan has been adopted for the area.

In addition, a new policy (Section 9.2.2.9.e) was added to Volume 1, which states,

"No lot within General Employment designated areas shall be used for the sole purpose of outside storage. Where outside storage is proposed on a lot, a building must be provided in accordance with the provisions of the City's Zoning By-law. Notwithstanding, outside storage shall not be permitted on a corner lot."

Our client's concerns based on the above policies relate to the proposed designation of the subject property being both Prestige Employment and General Employment, and that the dual designation is not resolved by Section 10.2.1.5.

Furthermore, based on Schedule 1: Transportation Network of the WVEA Plan, the subject property may become a corner lot in the future through the construction of new roads in the block. If the subject property was to become a corner lot in the future, Section 9.2.2.9.e would preclude outside storage uses on the subject property. The effect of this policy is one that would preclude a key development permission within the General Employment designation.

Proposed Modifications

Our client has concerns with regard to the adopted version of the City's Official Plan and the WVEA Plan. The changes made to the land use schedules and policies are not acceptable to our client. Furthermore, in our opinion, they are not consistent with the August 31 staff report and recommendations, which were approved by Council on September 7, 2010. Accordingly, we request the following modifications be made to the City's Official Plan and the WVEA Plan.

Modification #1 - Schedule 3: Land Use (WVEA Plan)

We request that Schedule 3: Land Use be revised to illustrate the entire subject property as General Employment.

We recognize that the intent of the modifications to Section 10.2.1.5 were to provide clarity in relation to the interpretation of the designation boundaries. However, these interpretation provisions do not apply to the subject property given the adoption of the WVEA Plan for the area.

A revision to Schedule 3: Land Use in order to identify the entire subject property as General Employment would provide certainty to the designation consistent with the Schedule 3: Land Use that was attached to the August 31, 2010 staff report. Through the development of the WVEA Plan, which was reflected in the Council adopted staff report and recommendations (August 31, 2010 Staff Report) for the WVEA Plan, the merits of the General Employment designation on the north side of Major Mackenzie, which included the subject property, was found to be appropriate. Furthermore, it is our opinion that the achievement of Prestige Employment uses along the Highway 50 frontage would not be compromised by the proposed change to the land use schedule, since it is clear that the Prestige Employment designation is intended to be only one lot deep. The subject property is not the first lot in from Highway 50.

Modification #2 - Schedule 13-F (Volume 1)

We request that Schedule 13 and 13-F be revised to illustrate the entire subject property as General Employment.

This modification is based on the principle of ensuring consistency between Volume 1 of the City's Official Plan and the WVEA Plan.

Modification #3 – Section 9.2.2.9.e) (Volume 1)

We request that Section 9.2.2.9.e) be modified and/or revised as it relates to the subject property such that the following text shall not apply to the subject property,

"Notwithstanding, outside storage shall not be permitted on a corner lot."

We recognize that the intent of Section 9.2.2.9.e), is to ensure that outside storage in employment areas is planned appropriately and does not cause a nuisance or negative visual impacts to the community. However, we do not support the principle of removing the permissions for outside storage on the subject property in the Official Plan if the lot was to become a corner lot. In our opinion, this requirement is too prescriptive and it conflicts with the intent of the General Employment designation. The primary difference between Prestige Employment and General Employment designations is the permission for outside storage. General Employment land parcels are often acquired based on the permissions for outside storage. In many industries, outside storage is integral to their business operations. In areas that are considered to be preferred locations for General Employment uses (i.e. the north side of Major Mackenzie Drive) the restrictions imposed for corner lots would render corner lots in General Employment areas no different than Prestige Employment areas, which is not appropriate.

We acknowledge that the above restriction is presently contained in Zoning By-law 1-88. However, we do not agree that this zoning regulation should be elevated to an Official Plan policy. The merits of outside storage on a corner lot should be assessed on a site specific basis in accordance with the City's Zoning By-law provisions.

It is also recognized that outside storage can vary significantly in its nuisance effects and visual impacts depending on what material, equipment or vehicles are being stored. For example, raw materials may cause a greater nuisance or visual impact than the storage of vehicles or the parking of trucks. However, the policy as presented would preclude all outside storage, which does not recognize these differences and would place additional hardship on industries that require outside storage permissions.

It is also recognized that other policies and regulations can be introduced to ensure that nuisance effects are eliminated and visual effects are mitigated for outside storage on corner lots. These policies exist in the WVEA Plan and include requirements for screening, landscaping and setbacks (e.g. Section 2.5.3 and 2.5.4, 5.4.7). Furthermore, zoning by-law provisions can regulate the location, height and size of the outside storage component on the lot based on site specific considerations.

Based on the above modifications, we request that the City of Vaughan Official Plan be revised. However, should the above modifications, in their proposed format not be acceptable, we would be pleased to discuss alternative modifications that will address our client's concerns.

We trust that the above comments will be considered by Regional Planning Staff in the refinement and ultimate approval of the City's Official Plan and WVEA Plan. We look forward to working with Regional Staff and City Staff to resolve these matters as soon as possible. We would appreciate the opportunity to meet with Regional Staff to discuss these matters at the appropriate time.

Please consider this our formal request for notice of modifications and/or approvals issued by the Region in relation to the City of Vaughan Official Plan and the WVEA Plan. We also reserve the right to identify further issues, as may be necessary, through the modification and approval process.

Please contact the undersigned or Nusrat Omer (ext. 243) if you have any questions.

Yours truly,

Weston Consulting Group Inc.

Per:

CC:

J. Zipay, City of Vaughan

Guetter. BES. MCIP. RPP

G. Uyeyama, City of Vaughan

M. Peverini, City of Vaughan

D. Birchall, City of Vaughan

C. Marrelli, City of Vaughan

M. Rossi, City of Vaughan

A. Ko. Region of York

M. Emery, WCGI

A. Deol, Amar Transport Inc.

Attachments:

- 1. Letter to the City of Vaughan, dated April 16, 2010; and
- 2. Extracts of the August 31, 2010 Staff Reports



April 16, 2010 File No. 3559

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

ATTENTION: Paul Robinson, Senior Policy Planner

Dear Sir:

Re:

City of Vaughan Official Plan Review - Employment Lands (File No. OP.25.1)

OMB Case Nos. PL070997, PL070917, and PL070917 City File Nos. OP.04.019, Z.04.059, and DA.08.003

7290 Major Mackenzie Drive

City of Vaughan

Weston Consulting Group Inc. (WCGI) is the planning consultant for 3942198 Canada Inc. (Amar Transport Inc.), the owner of a property municipally known as 7290 Major Mackenzie Drive, in the City of Vaughan (herein referred to as the "subject property").

Further to our recent discussion, we are pleased to provide this submission in relation to the City of Vaughan Official Plan and Secondary Plan process for the area. This submission provides an overview of the current planning status of the subject property and outlines our client's objectives with respect to the land use designation and policies, which are being considered for the area. We trust that these comments will be considered as the Official Plan process evolves.

Description of Property and Surrounding Area

The subject property is located on the north side of Major Mackenzie Drive, east of Highway 50, is 3.73 hectares (9.27 acres) in area, and is rectangular in shape. The property has 192 metres (630 feet) of frontage on Major Mackenzie Drive, and has a lot depth of approximately 196 metres (642 feet). **Attachment 1** is an air photograph of the subject property and surrounding land uses.

The site has been improved and is being used as a truck terminal, with the outdoor storage of transport containers and trailers. The surrounding land uses include agricultural uses, open space, industrial uses (including truck terminals), warehousing/distribution uses, the Canadian Pacific Intermodal facility, rural residential uses, and service commercial uses.

The subject property does not contain any significant natural features, watercourses, or vegetation. The interior of the property is generally flat and slopes gradually from the northwest to southeast. Earthen berms have been constructed around the perimeter of the Planning and Urban Design Services

site. An easement in favour of the TransCanada Pipelines (for a gas pipeline) traverses the south east corner of the site. This easement occupies approximately 200 m² (2,150 ft²) of area.

Background and Planning Framework

On behalf of Amar Transport Inc., WCGI submitted Official Plan and Zoning By-law Amendment applications in October 2004 to permit a truck terminal with outside storage on the subject property. In January 2008, WCGI filed a Site Plan Application for the subject property. These applications were appealed to the Ontario Municipal Board in October 2007. A settlement was reached among all parties to permit the truck terminal and outside storage as a temporary use, for a period of three years with a possible extension for an additional three year period. The OMB approved the applications and indicated in its decision that a Final Order would be withheld with respect to the Site Plan, until such time as the City approves the Site Plan, and the applicant files it with the Board.

It is our client's desire to establish the proposed use of the site for a truck terminal and outside storage on a permanent basis through the necessary planning process (e.g. Secondary Plan), which has advanced significantly since the OMB approval was issued.

Since the release of the OMB Decision, the Western Vaughan Transportation Improvements IEA has advanced. This study examines future road widening requirements for Major Mackenzie Drive, from Highway 50 to Highway 27. In addition, the segment of Major Mackenzie Drive east of the site, from Rainbow Creek to the CP Railway is proposed to be realigned to allow for appropriate connections to the Highway 427 terminus at Major Mackenzie Drive. There are no realignments proposed for the westerly portion of Major Mackenzie Drive in front of the subject property.

Proposed Development

As shown in **Attachment 2**, the proposed site plan contemplates a truck terminal with outside storage of truck trailers and storage containers on the subject property. The open storage component of the operation is proposed to occur within the interior of the site and is proposed to be set back from the lot lines. An administrative office, which is approximately 223 m² (2,400 ft²) in size, is proposed in the front portion of the site. The proposal contemplates a single access from Major Mackenzie Drive.

The truck parking area has been designed to accommodate full truck movements and can accommodate 158 parked trailers or 79 trailers and 158 stacked containers. With regard to the storage yard, the current site specific Zoning By-law contains specific restrictions on the number of parking spaces and the height of container stacking.

Planning Commentary

Employment Sectors Strategy Study: Phase 3 Preliminary Recommendations Discussion

In May 2009, the City released a presentation by Hemson Consulting Ltd., Hardy Stevenson and Associates, and EDP Consulting, entitled, "Employment Sectors Strategy Study: Phase 3 Preliminary Recommendations Discussion", which assesses the City's current and future employment prospects. The report identifies the transportation, logistics, warehousing and

distribution industry as a targeted potential growth sector, which would include the proposed uses for the subject property. More specifically, the study identifies the subject property within the "Highway 427 West Enterprise Zone (Nashville)". Lands within this area are strategically positioned to utilize and support transportation infrastructure in the area, including Highway 427, the CP Intermodal facility and Pearson Airport. The report recommends that zoning for this area should permit industries such as manufacturing and logistics. In addition, the report recommends designating only a small portion of the area for prestige employment uses.

City of Vaughan Official Plan Amendment 450

It is recognized that a traditional application of the principles of OPA 450 would suggest that lands with frontage on Major Mackenzie Drive would be suitable for a Prestige Area designation. As outlined in OPA 450, Prestige Area designations are intended for lands adjacent to Provincial Highways and Arterial roads (such as Major Mackenzie Drive), whereas the Employment Area General designations are generally located in the interior of employment areas.

Notwithstanding the foregoing, it is our opinion that the subject property should be designated General Employment for the following reasons:

- 1. The subject property is in close proximity to the CP Intermodal Facility, which provides synergy between these land uses.
- Truck terminal and container storage yards are integral to the transportation and logistics industrial sectors and these facilities provide direct support to the industry and Intermodal facilities.
- 3. The proposed truck terminal is to provide for the storage of transport containers and trailers and facilitates the distribution of goods and services throughout GTA markets. These facilities being in close proximity to the Intermodal facility results in greater efficiencies in terms of transportation and distribution costs. These efficiencies have a direct positive impact to businesses and consumers in terms of lowering costs and delivery timing.
- 4. Permitting a truck terminal on a major road that is opposite the CP Intermodal facility will have a positive impact to transportation efficiency in the area and will reduce vehicle trips and travel distances to and from the Intermodal facility. The subject property is strategically located in proximity to major interregional roads, which will ensure a more direct route of travel for goods from the Intermodal facility and distribution centres to the consumer.
- 5. The effect of having general employment uses (ie. a truck terminal) on the subject property will have further overall economic and environmental benefits insofar as reducing the consumption of fuel, increasing the efficiency of the surrounding road network, reducing congestion in other areas of the transportation network.

and increasing the lifetime of vehicles, equipment and containers due to shorter travel times and distances.

- 6. This area has been identified by the City as a strategic employment area that shall support transportation and logistics uses over the long term. The consideration of general employment uses for the subject lands would facilitate and encourage the development of transportation and logistics uses in the area, which will support the overall viability of the employment area.
- 7. Based on existing permissions in the area and previous planning approvals, the area is well suited to accommodate general employment uses. There are several existing truck terminals and transportation/logistics uses in the area, which support the consideration of this area for general employment uses.
- 8. Given the existing uses in the area and the fact that the south side of Major Mackenzie Drive is occupied by rail lines associated with the CP Intermodal facility, this portion of Major Mackenzie Drive is not expected to be an area that will attract traditional prestige industrial uses. In our opinion, this portion of Major Mackenzie Drive should not be considered an area of focus for prestige employment uses.
- 9. The transportation and logistics industrial sector is anticipated to include warehousing, distribution, and logistics facilities that often have an outdoor storage or truck parking yard component to their operations. A truck terminal use would be compatible with these uses.
- 10. Land use policies can be introduced in the Official Plan/Secondary Plan concerning landscape design and screening in order to ensure a high level of design and to ensure that the streetscape is not negatively impacted by general employment uses or outside storage.
- 11. Many of the above principles are key objectives that are enunciated in the Provincial Growth Plan in relation to the movement of goods and investment in transportation infrastructure throughout the Greater Golden Horseshoe.

Conclusion

The subject property is well suited to accommodate general employment uses, which will support the surrounding future employment area and the CP Intermodal facility over the long term. The consideration of the subject lands for general employment uses would promote the efficient use of existing road infrastructure and ensure a mix of employment uses consistent with the PPS and Growth Plan. A general employment designation in the area would provide the opportunity to accommodate a wide range of employment uses over the long term, particularly those in the target growth sector of transportation and logistics.

For the reasons noted above, we request that the subject lands be considered for a General Employment designation that would permit truck terminals and the outdoor storage of truck transports and containers.

On behalf of our client, we wish to express their desire to establish the above noted uses on a permanent basis. We trust that the above comments will be considered by Staff and the consultant team in the development and refinement of the City's Official Plan and Secondary Plan for the area.

We would be pleased to meet with Staff and/or the consultant team to discuss these submissions, specific policy details, and/or our client's development objectives, in greater detail.

We request that WCGI be notified of any future meetings concerning the City's Official Plan Review and Secondary Plan process.

Should you have any questions or require clarification on these matters, please contact Nusrat Omer (ext. 243) or the undersigned.

Yours truly,

Weston Consulting Group Inc.

Per:

Way/Guetter, BES, MCIP, RPP

Associate

CC:

A. Deol, Amar Transport Inc.

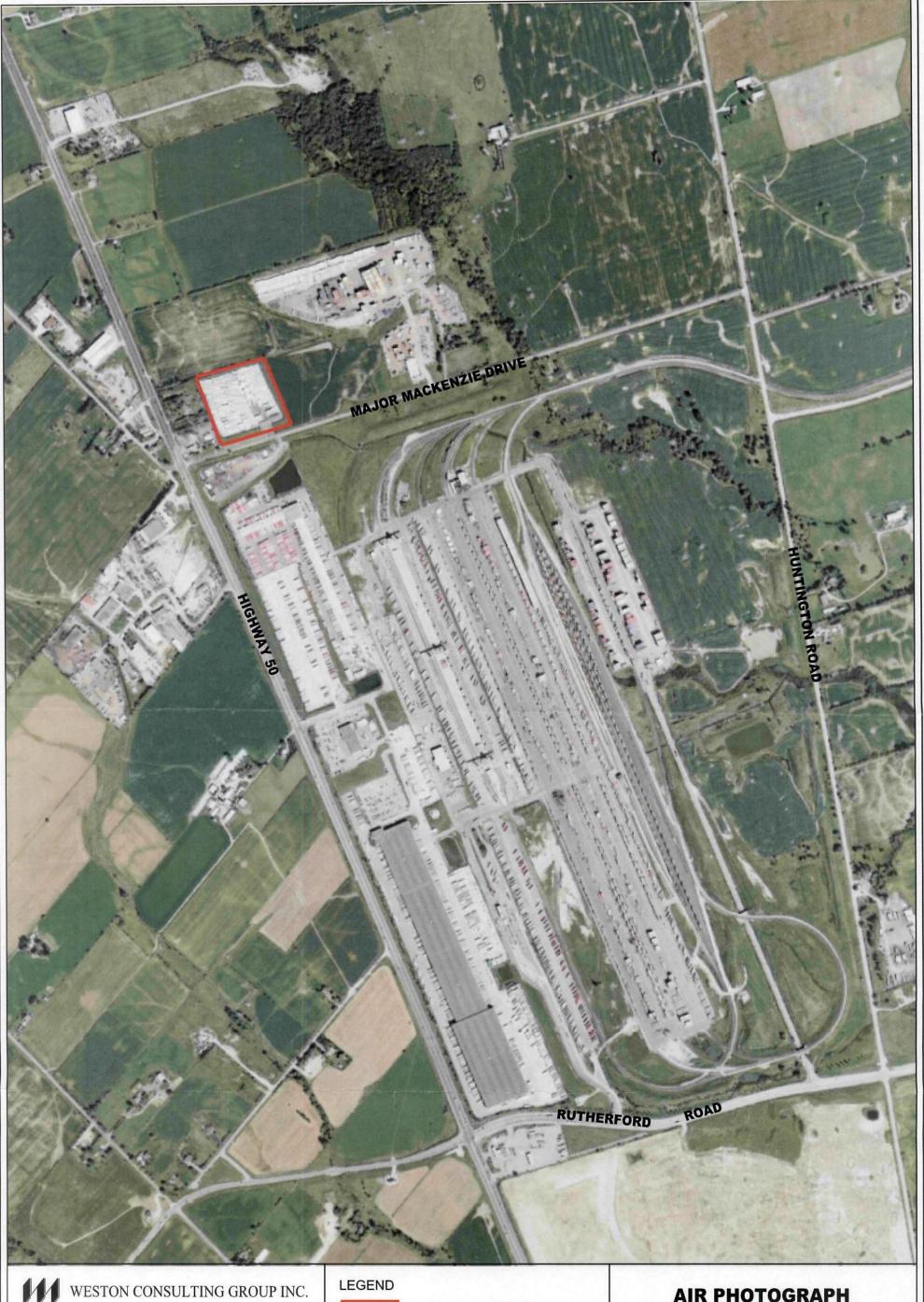
G. Uyeyama, City of Vaughan

C. Marrelli, City of Vaughan

P. Di Mascio, Urban Strategies Inc.

E. Reisman, Urban Strategies Inc.

M. Emery, WCGI







	File No:	3559
	Date Drawn:	Apr 15, 2009
((Drawn By:	mh
	Planner:	NO
	Scale:	Not to Scale
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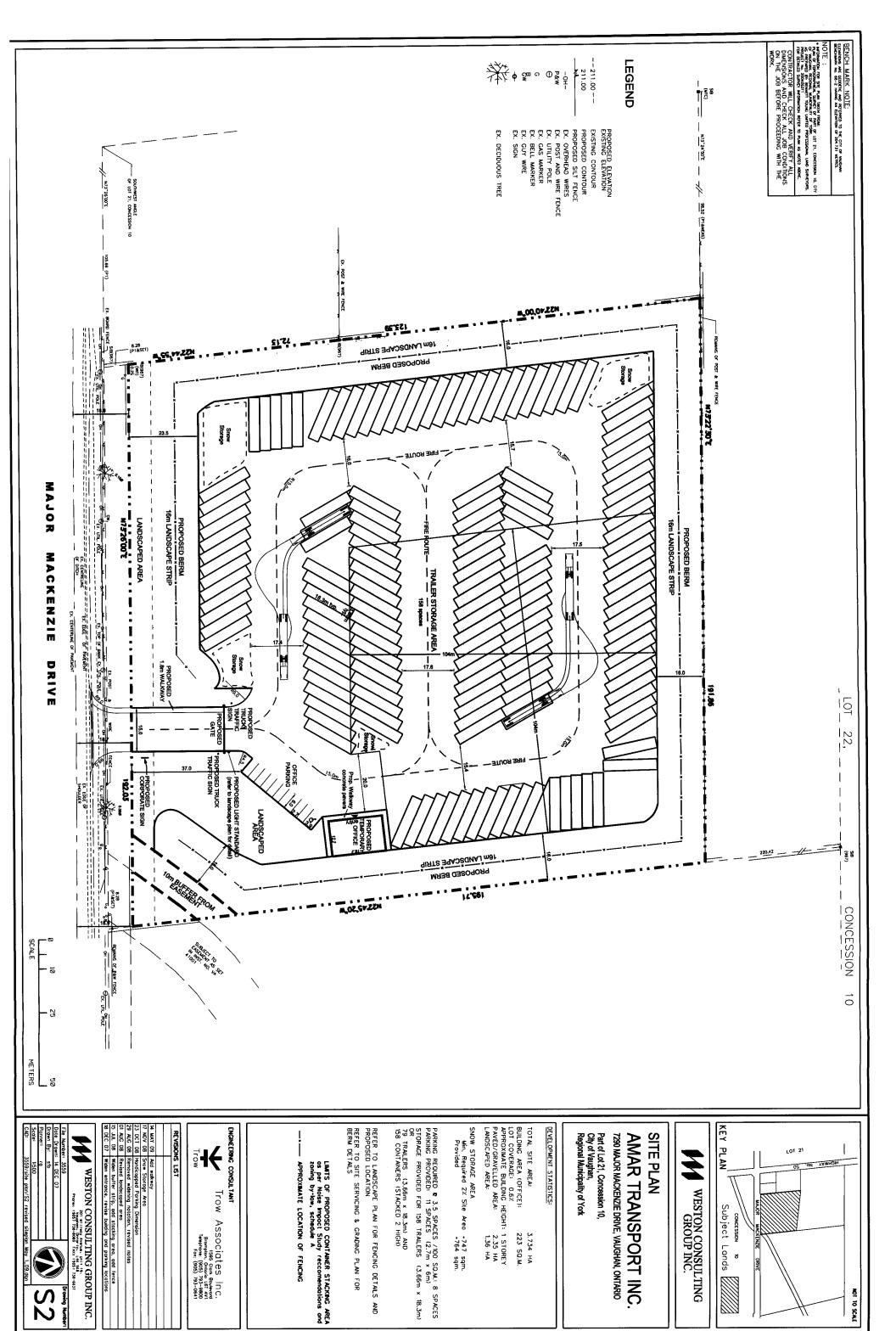


SUBJECT PROPERTY

Air Photograph from Google Earth Pro, 2009. Date of photography : Aug 31, 2009

AIR PHOTOGRAPH

7290 MAJOR MACKENZIE DRIVE CITY OF VAUGHAN REGIONAL MUNICIPALITY OF YORK



COMMITTEE OF THE WHOLE - AUGUST 31, 2010

OFFICIAL PLAN REVIEW – VOLUME 1 CITY-WIDE POLICIES RESPONSE TO PUBLIC, GOVERNMENT AND AGENCY SUBMISSIONS FILE 25.1 WARDS 1 TO 5

Recommendation

The Commissioner of Planning recommends:

- 1. THAT the draft City of Vaughan Official Plan, Volume 1 (April 2010) be amended in accordance with the recommendations set out in Attachment No.1 to this report;
- 2. THAT the revised version of Volume 1 proceed to Council for adoption at the Council meeting of September 7, 2010 as part of Volume 1 of the Official Plan; and that the plan reflect the changes approved by the Committee of the Whole at this meeting; and
- THAT Section 10.1.1.5 of Volume 1 of the new Official Plan be amended to include policies
 related to the content of a Development Concept Report and Phasing Plan for Secondary
 Plans as outlined in this report.

Contribution to Sustainability

Goal 2 of *Green Directions Vaughan*, the City's Community Sustainability and Environmental Master Plan, focuses on the new Official Plan to "ensure sustainable development and redevelopment".

Economic Impact

The new Vaughan Official Plan establishes the planning framework for development throughout the City to 2031. The Official Plan, will have a positive impact on the City of Vaughan in terms of managing growth and fostering employment opportunities while fulfilling the City's obligations to conform to Provincial policies and meet Regionally imposed targets for residential and employment growth.

Communication Plan

The project status, analysis and results of the Official Plan review have been communicated to the public through an extensive engagement and consultation process.

A Public Open House was held on May 3, 2010 which provided an opportunity for the public to comment on the draft Official Plan and a Public Hearing was held on May 17, 2010. On consideration of the submissions at the May 17, 2010 Public Hearing Meeting, the Committee of the Whole adopted a resolution scheduling a Special Committee of the Whole Meeting for July 28, 2010, to consider a report and recommendations by the Commissioner of Planning following the review of the comments received during and since June 14, 2010 (the identified deadline for comment) on the new Official Plan. On July 28, 2010, the Special Committee of the Whole considered the report and recommendations of the Commissioner of Planning and deputations made at the meeting.

<u>Purpose</u>

To provide a follow up technical report and recommendations from the Commissioner of Planning in regard to additional comments received on the new City of Vaughan Official Plan (Volume 1) emerging from the July 28, 2010, Special Committee of the Whole meeting.

Background – Analysis and Options

Location

The new Official Plan applies to all lands within Vaughan. The submissions received and summarized on Attachment No. 1 apply to the lands identified in each individual letter.

City of Vaughan Official Plan

The new Vaughan Official Plan will be produced in two volumes: Volume 1 will include City-wide policies and Volume 2 will contain the five secondary plans resulting from the focused area reviews (the North Kleinburg-Nashville, the Woodbridge Centre, the Yonge Steeles Corridor, the Vaughan Metropolitan Centre, and the West Vaughan Employment Area Secondary Plans) and a consolidation of approved area and site-specific policies and secondary plans which are being carried forward with the new Official Plan.

Official Plan Designations

The draft Official Plan introduces a set of land use designations and policies applicable to lands throughout Vaughan. It includes an enlarged series of land use maps for each part of the City, enabling the reader to more clearly read and understand the detailed land use information presented thereon, including the maximum permitted heights and densities. More specific policies and designations will apply to areas identified in Volume 2, as set out in Schedule 14. This includes the retention of several previously adopted secondary plans, the focused area secondary plans (e.g. the Vaughan Metropolitan Centre Secondary Plan), and a number of area and site specific plans.

Zoning

The provisions of Zoning By-law 1-88 will remain in effect until they are updated or replaced by zoning consistent with the Official Plan including Volume 2. With approval of the Official Plan, it is anticipated that the preparation of a new by-law will be commenced to bring the City's Zoning By-law into conformity with the new Official Plan. A budget and work plan to include the zoning review in the 2012 budget will be prepared for consideration by Council next year.

Council Direction

On July 28, 2010 the Special Committee of the Whole adopted the following recommendation (in part):

"1) That the draft City of Vaughan Official Plan, Volume 1 (April 2010) be revised in accordance with the recommendations set out in Attachment No. 1 of the report dated July 28, 2010 and Attachment No. 1 of the memorandum dated July 23, 2010 of the Commissioner of Planning;"

Additional Submissions Received and Recommendations

Subsequent to the Special Committee of the Whole meeting of July 28, 2010, additional submissions have been received by the City. The submissions generally fall into three categories: respondents reiterating their comments and identifying additional concerns about the policies and land use designations affecting their properties; additional information being provided in response to Staff's comments and recommendations in the July 28, 2010 Special Committee of the Whole report; and new submissions received after the July 28, 2010 Special Committee of the Whole meeting. The submissions have been recorded, reviewed and a recommendation provided in a manner consistent with PART B (Summary of Respondents Requests/Concerns and Staff Comments and Recommendations) of the Committee of the Whole Staff Report (July 28, 2010). The analysis is summarized on Attachment 1 to this report.

Period for Accepting Comment

The draft Official Plan was made available for comment on April 27, 2010 and Council, through its June 8, 2010 ratification of the Committee of the Whole recommendation, set June 14, 2010 as the final date for submissions. However, staff has continued to accept submissions and have endeavoured to respond to those submissions received before August 12, 2010. If additional submissions are received they may be addressed through the Region of York's approval process.

Submissions Review

Several objectives were used as the basis for analyzing the submissions made by landowners, public agencies, the development industry, residents and interest groups regarding the proposed Secondary Plans. In particular, to ensure that the new Official Plan principles were maintained, that senior level policy direction was conformed to (e.g. Regional Official Plan, Places to Grow), and that sound planning principles were adhered to. In addition, meetings were held with a number of respondents to clarify issues and discuss potential solutions.

Each submission was considered on its own merit and recommendations made on appropriate responses and actions. As a tool for the efficient and thorough review of submissions, a matrix was established to set out the content of the submissions and the recommended responses to each letter. The summary matrix forms the basis of Attachment No. 1 and presents information in tabular form as follows:

PART A: An index of correspondence for Part B identifying each response by item number, correspondence date, name and subject/location.

PART B: A summary of the response/concerns/requests and staff comments and the related recommended policy and mapping changes.

The summaries in PART B contain the following:

- The Item Number related to the number in the Part A Correspondence Index
- The Submission Date and respondent identification
- · The correspondence content, as summarized by Staff
- Staff comment on the submission
- Staff recommendation on the submission.

The following approach was applied in the application of each of the summaries:

- Each submission was evaluated on its own merits, and provided with a response
- Multiple submissions pertaining to one property(s) or issue(s), from a person, firm or agent, could be combined to provide a single response
- Submissions pertaining to one property or issue, from more than one person, firm or agent, could be combined or have a single response
- Where a submission(s) and the Staff comment are the same as those considered in the July 28, 2010 Special Committee of the Whole staff report, the item in Part B of the original report has been referenced.

The summary will form part of the public record of the supplementary comments received on Volume 1, and will be forwarded to the Region of York in accordance with the approval process under the Planning Act.

Development Concept Report and Phasing Plan for Secondary Plans

To provide a context for coordinated development, and to demonstrate conformity with the policies of the Official Plan where a Secondary Plan is required, Staff recommends that policies

be added to the Official Plan to provide a framework for the issues to be assessed where a Development Concept Report is required. The recommended policies are as follows:

- To provide a context for coordinated development, and to demonstrate conformity with the policies of the Secondary Plan, each development application, in particular those applications intended to develop over a number of phases, shall include a Development Concept Report, providing a detailed description of the proposed development, and the manner in which it addresses the policies of the Secondary Plan. The Development Concept Report may form part of the justification for a development application as determined through a pre-consultation meeting with the Planning Department and address the following matters:
 - a. phasing of development, from initial construction to ultimate completion:
 - b. achievement of the transit-supportive and pedestrian-oriented uses:
 - c. how the development has regard for the land use and design policies of neighbouring municipalities where appropriate;
 - d. height and massing of buildings;
 - e. distribution of land uses, lot sizes and densities;
 - f. relationship between streets and buildings, including how the proposed development and subsequent phases address any Secondary Plan policies respecting build-to lines;
 - g. how the street-related retail uses are being provided in the current phase of the application;
 - h. integration of development with transit services;
 - pedestrian, bicycle, and vehicular circulation networks and integration with the City's Pedestrian and Bicycle Master Plan, as appropriate;
 - j. parks and open space system;
 - k. location, dimensions and character of publicly accessible private open spaces and pedestrian routes, showing their continuity and complementary relationship to adjacent public spaces, pedestrian routes and streets:
 - general location, size and treatment of parking facilities and vehicular access points, including the potential for shared parking, parking ramps and loading facilities and access and identification of streetscape improvements and relationship to public sidewalks and pedestrian routes.
 - m. signage, streetscape amenity elements, lighting and site furnishings.
 - n. location, size and design of stormwater management facilities;
 - identification and design of streetscape and pedestrian route improvements for the entire subject property including the area from the building face to the curb, with respect to the provision of street trees (including a double row of trees on major Avenues, where feasible such as, Highway 7, Steeles Avenue and Yonge Street), signage, street furniture, landscaping, street and pedestrian scale lighting;
 - p. location of street-related uses and principal pedestrian building entrances to street frontages, and how the role of the public street and pedestrian movement along the street are supported;
 - q. micro-climatic conditions, modifications or enhancements;
 - r. cultural heritage resources, and proposed measures to conserve them;
 - s. proposed measures to remediate and restore significant natural features and conditions, and to address other environmental matters, consistent with the City's Environmental Management Guideline;
 - t. protection and enhancement of significant views and landscape focal points; and.
 - u. energy conservation and other proposed sustainability features of the development.

- 10.1.1.6 In evaluating development applications throughout the Secondary Plan Area, the City shall consider:
 - a. the support the proposed use provides to the operation of the local, regional and inter-regional transit network in both the short and long term;
 - b. the ability of the existing transit network to support the proposed development;
 - c. the availability of water and sewer services and related Regional Allocation Capacity;
 - d. the suitability of the proposed stormwater management facilities:
 - e. compatibility with adjacent approved land use designations in proximity to the proposed use;
 - f. compatibility of the proposal with the urban design policies and principles described in the Official Plan/ Secondary Plan and with the Zoning Bylaw.
 - g. the proposed parking areas and access points;
 - h. phasing may be addressed through the appropriate use of the policies of the Secondary Plan respecting the application of the Holding Symbol in the implementing Zoning By-law;
 - i. identifies the expected financial requirements for such public infrastructure, and the appropriate financial contributions from benefiting landowners where applicable;
 - the impact of traffic on adjacent existing and/or approved land uses, and the short and long –term impact of the proposed use on the operation of the regional and local road network;
- 10.1.1.7 In addition to the studies listed in 10.1.3.3, following the completion of a Development Concept Report and prior to the approval of any development application, the City may require the preparation of additional studies:
 - k. community services needs assessment and delivery strategy:
 - public art delivery strategy;

The City shall establish specific requirements for studies addressing the foregoing concerns with development proponents. The costs associated with the conduct of these studies shall be the responsibility of the landowners and be shared equitably among benefiting landowners on a pro-rata basis.

- 10.1.1.8 Within each block of the Secondary Plan, development applications should coordinate neighbouring development proposals in a mutually complementary fashion. Non-participating lands in the block shall be shown conceptually in the Development Concept Report and Phasing Plan.
- 10.1.1.9 Phases are to be based upon the existence of, or commitment to construct, the following infrastructure elements, where applicable:
 - m. Components of the local and primary road network;
 - n. bus-rapid transit;
 - o. subway; and
 - p. public and community services.

(add to Holding By-laws)

- 10.1.2.7 Where a Development Concept Report has been prepared per policy 10.1.1.5 the City may enact a Holding By-law if:
 - a. the Development Concept Report, submitted in support of a development application has not been finalized to the City's satisfaction;
 - b. the number and location of access points to the site are inadequate to function safely and efficiently; and,

c. where development relies upon other matters occurring first, such as the consolidation of land ownership or completion of a development agreement, to ensure the orderly development of the project, and/or to secure funding and/or to equitably cost-share among benefiting landowners, for sewer, water, stormwater, roads, parks, community services and facilities, or outstanding application processing fees.

Transition Period

In the period between the adoption and final approval of the Official Plan and Volume 2, the City will be operating with the existing official plan policies still in full force. It is expected that applications to amend the existing Official Plan and Zoning By-law 1-88 will continue to be submitted during this period. In evaluating these applications, conformity to the new Official Plan will be taken into consideration. The objective is to bring any such amendments into conformity with the intent of the new Official Plan and Secondary Plans. While not in force, the Official Plan and Secondary Plans represent the City's most contemporary expression of planning principles, developed over several years through extensive study and public consultation. This approach will help to ensure that the integrity of the new plan is maintained during the transition period.

Direction to finalize the new Official Plan for adoption on September 7, 2010 was received at the July 28, 2010 Special Committee of the whole meeting. As well, a resolution specifying that all applications for official plan and zoning by-law amendments, received between the adoption and final approval of the Plan by the Region of York, will be evaluated on the basis of both the existing and new Official Plan policies. This will help to ensure that the integrity of the new plan is maintained during the transition period.

Relationship to Vaughan Vision 2020

The new Official Plan is addressed under the objectives "Plan and Manage Growth and Economic Vitality".

Regional Implications

The new Official Plan has been prepared in consultation with the Region of York staff and is in conformity with the Region's Official Plan. The Plan relies on the population and employment forecasts of the Regional Official Plan, which was adopted in December 2009. The Regional Official Plan is currently awaiting approval by the Province. The City's Official Plan has been prepared to conform to the Regional Official Plan.

Next Steps

The recommended changes on Attachment 1 to the April 2010 draft of the new Official Plan (Volume 1) directed by the Committee of the Whole as a result of this report, will be incorporated into the final draft of the Official Plan. The Official Plan will be considered by Council on September 7, 2010. If adopted, the new Official Plan will be forwarded to the Region of York for their consideration and final approval.

Conclusion

At the Special Committee of the Whole meeting of July 28, 2010, and following the meeting, a number of additional submissions were received by the City in response to Volume 1 of the new Official Plan. Requests for changes to the plan primarily focus on specific areas of policy or specific lands which may be effected by a policy or a land use designation(s). Each submission was considered on its merits taking into consideration the principles of the new Official Plan, the need to ensure continuing conformity with senior level policy direction and adherence to sound planning principles.

It is recognized that there may be issues that will not be resolved to the satisfaction of some of the respondents upon the City's approval of the new Official Plan. This may result in appeals, which may ultimately proceed to the Ontario Municipal Board for adjudication. Post-approval negotiations may proceed during the Region of York's review process, with the opportunity for modifications prior to, and during any OMB proceeding.

Therefore it is recommended that the draft City of Vaughan Official Plan, Volume 1 (April 2010) be modified in accordance with the recommendations contained in this report. It is further recommended that Staff proceed with revisions to the plan, incorporating the approved changes recommended herein and that the revised Official Plan be forwarded to Council for adoption at its September 7, 2010 meeting.

Attachments

- 1. Summary of Submissions, Staff Comments and Recommendations: Draft City of Vaughan Official Plan (Volume 1) April 2010.
- 2. Correspondence pertaining to the Draft City of Vaughan Official Plan (Volume 1) (Mayor and Members of Council ONLY).

Report prepared by:

Arto Tikiryan, Senior Planner, ext. 8212

Respectfully submitted,

John Zipay Commissioner of Planning Diana Birchall
Director of Policy Planning

Attachment 1
PART D: MAPPING AND RECOMMENDED CHANGES (PUBLIC)

Schedule #	Item	Submission	Recommendation
9, 13 and 13-F	1	DATE: June 07, 2010	That Schedules 9 and 13-F be amended to reflect approved road alignments for Huntington Road, McGillivrav Road and Maior MacKenzia Drive in
		RESPONDENT: Malone Given Parsons Ltd.	accordance with approved OPA 699. That Schedule 13-F be amended to accurately denict the boundary limits for
		LOCATION: Block 61 West	10 storey buildings in accordance with OPA 699.
13, 13-Н	8B	DATE: May 14, 2010	Schedule 13-H to be amended to reflect a maximum building height of 12 storeys.
		RESPONDENT: Weston Consulting Group Inc.	The Mid-Rise Mixed Use designation on Schedule 13-H to be amended to reflect the shape and size of the subject lands.
		LOCATION: Northwest corner of Major Mackenzie Drive and Weston Road Vellore Local Centre	
13 and 13-F	22	DATE: April 16, 2010	This matter to be resolved through the finalization of the West Vaughan Employment Area Plan to resolve the merits of a temporary use and if
		RESPONDENT: Weston Consulting Group Inc.	appropriate, to include the necessary policy changes in the WVEA Plan.
		LOCATION: 7290 Major Mackenzie Drive	
13 and 13-L	24C	DATE: June 01, 2010	The Enhancement Area is intended to serve the purpose of identifying connectivity opportunities based on the TRCA Target Terrestrial Natural
		RESPONDENT: The Remington Group Inc.	Heritage System. Policies regarding the Enhancement Areas policies will be modified to recognize the need for further environmental et al.
			Service and additional and a service of the parts

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SPECIAL COMMITTEE OF THE WHOLE - AUGUST 31, 2010

WEST VAUGHAN EMPLOYMENT AREA SECONDARY PLAN RESPONSE TO PUBLIC, GOVERNMENT AND AGENCY SUBMISSIONS FILE 25.5.19 WARD 1 & 2

Recommendation

The Commissioner of Planning recommends that:

- 1. The draft West Vaughan Employment Area Secondary Plan (May, 2010) be revised in accordance with the recommendations set out in Attachment No. 1 to this report.
- The revised version of the West Vaughan Employment Area Secondary Plan proceed to Council for adoption at the Council meeting of September 7, 2010 as part of Volume 2 of the new Official Plan; and that the plan reflect the changes approved by Committee of the Whole at this meeting.

Contribution to Sustainability

The new policy directions within the City's Official Plan will also apply to the West Vaughan Employment Area Secondary Plan, including policies related to sustainability, natural heritage protection, built form and transportation demand measures.

The Secondary Plan addresses the City's Community Sustainability and Environmental Master Plan and the following key sustainability initiatives in "Green Directions" as listed below:

Goals 1 & 5: To demonstrate leadership through green building and urban design policies;

Goal 2: To ensure sustainable development and redevelopment;

Goal 2: To protect green space and the countryside by establishing a Natural Heritage

Network and limiting urban expansion;

Goal 3: To ensure that Vaughan is a city that is easy to get around with low

environmental impact;

Goal 4: To create a vibrant community where citizens, business and visitors thrive;

Goals 5 & 6: An overall vision and policy structure that supports the implementation of Green

Directions Vaughan.

Economic Impact

The new Vaughan Official Plan, including the West Vaughan Employment Area Secondary Plan, establishes the planning framework for development throughout the City to 2031. The Official Plan, will have a positive impact on the City of Vaughan in terms of managing growth and fostering employment opportunities while fulfilling the City's obligations to conform to Provincial policies and meet Regionally imposed targets for residential and employment growth.

Communications Plan

The West Vaughan Employment Area Secondary Plan has been subject to an extensive consultation process, including discussions with stakeholders and an open house on April 22, 2010. Notice of the statutory Public Hearing held on June 14, 2010 was mailed to landowners within the West Vaughan Employment Area (WVEA) and all owners within 150 metres of its boundary. Notices were posted on online web pages, including the City of Vaughan website, Vaughan Tomorrow, City Page Online and the Policy Planning Public Hearing page. Notices were also published in various local newspapers, including the Vaughan Weekly, Vaughan Liberal, and Vaughan Citizen and mailed to any individuals requesting notification.

Purpose

The purpose of this report is to report on the recommended revisions to the draft West Vaughan Employment Area Plan, following the review of the comments received during and since the June 14, 2010 Public Hearing.

The Official Plan document will be produced in two volumes. Volume 1 will introduce City-wide policies. Volume 2 will include a consolidation of approved site and area-specific policies and secondary plans, including the WVEA Secondary Plan. The public hearing report deals with the policies specific to the WVEA Secondary Plan.

Background - Analysis and Options

Location

The lands subject to the draft Secondary Plan comprise approximately 975 gross hectares, being the northerly extension of the Vaughan Enterprise Zone employment area.

The lands are located north of Langstaff Road, between Huntington Road and Highway 27 (Block 59), extending north to Major Mackenzie Drive between the Intermodal Facility and the CP MacTier Rail line (Block 60), and north of Major Mackenzie to Nashville Road between Highway 50 and the hydro corridor (Block 66) as shown on Attachment #2.

Official Plan Designations

The Secondary Plan introduces a set of land use designations applicable throughout the Plan area, as shown on Attachment #5 (Schedule 3 - Land Use), and related land use policies, including built form, transportation, the environment, and sustainable development.

The Secondary Plan identifies lands within the study area that are subject to further detailed planning through the Block Plan process. Policy 10.1 in the new Official Plan specifies the details to be addressed by the Block Plan, including: density, housing mix, transportation network (including provisions for transit, walking, cycling), servicing and natural and cultural heritage.

Zoning

The provisions of Zoning By-law 1-88 will remain in effect until they are updated or replaced by zoning consistent with the new Official Plan, including this Secondary Plan. With the approval of the Official Plan, it is anticipated that preparation of a new zoning by-law will be commenced to bring the City's zoning provisions into conformity with the new Official Plan. A budget and work schedule to include the zoning review in the 2012 Capital Budget will be prepared for consideration by Council next year.

Secondary Plan Review Process and Community Consultation

- On April 22, 2010, the Policy Planning Department held a Public Open House for the Secondary Plan. A presentation was made by the consultants, Urban Strategies Inc., discussing the background work, and proposed transportation, environmental and land use policies. The notification process for the public hearing included notices mailed to surrounding residents and landowners 150 metres from the study area, postings on the electronic City Page, the City's website, local newspapers, and postings in public facilities (e.g. community centres and libraries).
- June 14, 2010 Statutory Public Hearing.
- August 31, 2010 Committee of the Whole Technical Report

Policy Context

i) Provincial Policy

a. Provincial Policy Statement (2005)

The policies in the Secondary Plan are consistent with the PPS in encouraging the promotion of efficient land use and development patterns to support strong, liveable and healthy communities, protection of environment and public health and safety, and to facilitate economic growth through intensification and the protection of employment areas.

b. Places to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan)

The Growth Plan was approved in 2006 and provides more refined policies that build on the Provincial Policy Statement requiring prescribed intensification targets and for the identification and protection of employment lands.

Under the Growth Plan, population and employment will be accommodated through compact development, intensification and directing growth within built-up areas, and identification and protection of employment lands. Density targets in employment areas (and non-employment areas) are also defined. The policies in the Secondary Plan conform to the Growth Plan.

ii) Regional Policy

The Region Official Plan (2005) designates the subject lands as "Urban Area". Portions of the lands form part of the "Regional Greenlands System", which are to be identified, protected and restored where possible.

The lands are also subject to Regional Official Plan Amendment No. 19 (ROPA 19), redesignating the lands to "Urban Area" in the Regional Official Plan. ROPA 19 also requires the preparation of local secondary plans to identify detailed land use, infrastructure, and environmental requirements, prior to development.

York Region Council adopted its new Official Plan in December 2009; approval from the Province is pending. The subject lands are designated as "Urban". The Region of York Official plan requires that Regional Greenlands Systems within Urban Areas be identified, specifically in local official plans and secondary plans, and be integrated in community

design (s. 2.1.9). Plans for the Regional Greenlands System must contain policies that support system remediation and enhancement opportunities.

Figure 2 of the Regional Official Plan identifies the Secondary Plan area as "strategic employment lands", which are to be protected for employment use. The policies in the Secondary Plan conform to the Regional Official Plan.

iii) Highway 427 Transportation Comidor Environmental Assessment

A technically preferred route for the extension of Highway 427 has been identified by the Province and is reflected in the Secondary Plan. The Highway 427 Transportation Corridor Environmental Assessment is near completion, and a timeline for construction of the Highway is pending with the Province.

Council Direction

The statutory public hearing was held on June 14, 2010 for the purpose of obtaining public input and comment on the draft West Vaughan Employment Area Secondary Plan. A total of 8 deputations and 4 written submissions were received. The following Committee of the Whole (Public Hearing) recommendation was ratified by Council on June 29, 2010:

THAT the draft Official Plan Amendment for the West Vaughan Employment Area Secondary Plan BE RECEIVED; and that any issues raised at the public hearing and comments submitted in writing be addressed in a report by the Policy Planning Department in a future report to a special evening meeting of the Committee of the Whole scheduled for August 31, 2010.

Period for Accepting Comment

The draft West Vaughan Employment Area Secondary Plan was made available for public review on May 25, 2010, and comments have been received prior to, the public hearing on June 14, 2010. Submissions have continued to be received beyond the formal commenting period and staff has endeavoured to respond to those received until mid-August. Any later submissions may be addressed through York Region's approval process. Responses have been prepared to each submission received and are reflected in Attachment 1.

It is recognized that some issues may not be resolved to the satisfaction of some respondents upon the City's adoption of the Official Plan. Tjos ,ay result in appeals which may ultimately haveto process to the Ontario Municipal Board for adjudication. Post-approval negotiations may proceed during the York Region's review process, with the opportunity for modifications prior to, and during, any Ontario Municipal Board proceeding.

Submissions Review

Several objectives were used as the basis for analyzing the submissions, made by landowners, public agencies, the development industry, residents and interest groups regarding the West Vaughan Employment Area Secondary Plan. In particular, to ensure that the new Official Plan principles were maintained, that senior level policy direction was conformed to (e.g. Regional Official Plan, Places to Grow), and that sound planning principles were adhered to. In addition, meetings were held with a number of respondents to clarify issues and discuss potential solutions.

The submissions, ranging from comments to suggested amendments to the proposed Secondary Plans, were each considered on their own merit and recommendations made on appropriate responses and actions. In addition, Staff has identified areas where changes should be made to

the Secondary Plan policies, and it is also anticipated that further City-initiated changes will need to be considered prior to Regional approval.

As a tool for the efficient and thorough review of submissions, a matrix was established to set out the content of the submissions and the recommended responses to each of the five proposed Secondary Plans. The summary matrices form the basis of an Attachment to each of the five Committee of the Whole reports on this August 31, 2010 agenda, and present information in tabular form as follows:

PART A: An index of correspondence for Part B, identifying each response by item number, correspondence date, name and subject/location.

PART B: A summary of the response/concerns/requests and staff comments and the related recommended policy and mapping changes.

The summaries in PART B contain the following:

- The Item Number related to the number in the Part A Correspondence Index
- The Submission Date and respondent identification
- · The correspondence content, as summarized by Staff
- Staff comment on the submission
- Staff recommendation on the submission

The following approach was applied in the application of each of the summaries:

- · Each submission was evaluated on its own merits, and provided with a response
- Multiple submissions pertaining to one property(s) or issue(s), from a person, firm or agent, could be combined to provide a single response
- Submissions pertaining to one property or issue, from more than one person, firm or agent, could be combined or have a single response.

The summary will form part of the public record of comments received on each of the focus areas, and will be forwarded to the Region of York in accordance with the approval process under the *Planning Act*.

Key Policy Areas - Overview of Recommendations

Many of the responses received address key policy areas that are fundamental to the plan. A number of the important policy issues are identified below, along with an overview of staff's recommended approach.

Applicability of Draft Official Plan (Volume 1) Policies to Secondary Plans and Site and Area Specific Amendments (Volume 2)

The new Official Plan (Volume 1) contains current policy planning initiatives (e.g. sustainability and natural heritage policies) that conform to recent Provincial and Regional land use policy directions and are intended to apply to all lands within the City. The secondary plans and site-specific amendments that form Volume 2 is intended to be read and applied together with Volume 1. Where there is a conflict between the two documents, Volume 2 policies will prevail. If there is a policy in Volume 1 relating to an issue that is not included in Volume 2, then the policy in Volume 1 will apply to the lands subject to Volume 2.

Approach to the Transition Period: Post-Adoption - Pre-Approval

In the period between the adoption and final approval of the Official Plan and the West Vaughan Employment Area Secondary Plan, the City will be operating with the official plan policies still in full force. It is expected that applications to amend the existing Official Plan and Zoning By-law 1-88 will continue to be submitted during this period. In evaluating these applications, conformity to the West Vaughan Employment Area Secondary Plan will be taken into consideration. While not in force the Official Plan and Secondary Plan represent the City's most contemporary expression of planning principles, developed over several years through extensive study and public consultation. This approach will help ensure that the integrity of the new Plan is maintained through the transition period.

GTA West Comidor Individual Environmental Assessment (I.E.A)

The Ministry of Transportation is currently conducting an Individual Environmental Assessment (IEA) to establish future transportation infrastructure needs to 2031 within a study area that extends from Highway 400 to Guelph. The IEA will determine the measures needed to provide linkages to the Urban Growth Centres in the Provincial Growth Plan (Places to Grow), particularly between Downtown Guelph and the Vaughan Metropolitan Centre.

The Region of York commented that there is a need to include policies in the new Official Plan to protect for a potential alignment in the north part of Vaughan. In the interim, future development of certain areas may be affected in the City including OPA 637 (The Highway 400 North Employment Lands) and Block 41 New Community Area, bounded by Pine Valley Drive, Teston Road, Weston Road and Kirby Road.

More information will emerge as the Provincial study evolves. The necessary medifications to the plan to accommodate the results of the study will be developed in consultation with the Region of York.

Natural Heritage

Environmental issues raised in the public comments relate largely to mapping the Core Features and Enhancement Area policies that comprise the Natural Heritage Network. Corrections to the Natural Heritage Network map will be made to reflect recent planning approvals. Policies regarding Core Features will be revised to allow for minor modification of the boundaries based on appropriate site-specific evaluations. The Enhancement Area policies will be revised to clarify that there is an underlying land use designation, but that these areas provide opportunities to improve connectivity within the Natural Heritage Network. The policies will also require that appropriate ecological evaluations be undertaken to determine whether portions of Enhancement Areas can be designated as Core Features or other open space designations, as appropriate. Other minor changes to the environmental policies will be made to provide clarity and overall consistency regarding implementation through the development approvals process.

The recommended changes will be incorporated into Volume 1, Section 3.1 "Environmental Management" of the plan.

On-site Landscaping

Respondents expressed concerns that the proposed landscape requirements were too onerous for the General Employment and Prestige Employment Designations. Section 2.5.7. of the draft Secondary Plan (May 2010) requires a minimum level of landscaped open space for Prestige Employment designations of 30% of the lot area; and General Employment designations of 20% of the lot area. New storm water facilities and elements such as green roofs would qualify to be included in the percentage requirements. Currently, the City requires at least 5% of a lot area in an Employment Area Zone, however, this applies only to the landscape setbacks on the ground.

In order to address this concern, staff is recommending a reduction to the proposed minimum landscape requirement for Prestige Employment from 30% to 15%; and General Employment from 20% to 10%. Staff will also undertake further research to address the most appropriate way of providing landscaping for employment area developments that improves on current practices, meets the objectives of *Green Directions* and the intent of the new Official Plan. Any changes will be dealt with through a modification to the Region of York.

Road and Transportation Network

Concerns were expressed about the proposed location and coordination of the road (primary and secondary) and transportation network, including pedestrian and bicycle networks. The transportation network shown on Schedule 1 in the WVEA (Attachment 3), is the preferred network system particularly for primary roads. Policy 2.5.5. in the Secondary Plan provides the opportunity to re-evaluate the secondary (local) streets in detail during the Block Plan process, subject to the Block Plan requirements set out in Section 10.1 of the Official Plan (Volume 1). As such, the secondary (local) road and transportation networks will be refined through the Block Plan process.

The Secondary Plan was prepared in consultation with AECOM, lead consultants on the Citywide Transportation Master Plan. The West Vaughan Employment Area Transportation Plan is ongoing and the transportation network presented in this Secondary Plan will be updated, as necessary, upon completion of the City's Transportation Master Plan.

Commercial Uses in Employment Areas

Concerns were expressed about the amount and type of commercial land use permitted within Employment areas. The new Official Plan permits office uses to a maximum of 7,500m² per lot within the Prestige Employment designation. Ancillary offices, directly associated with another employment use, are permitted throughout the Employment Areas. Large scale retail uses (e.g. retail warehouses) are not permitted in any employment areas.

To protect lands for valuable employment uses, the new Official Plan restricts non-employment uses in Employment Areas and only a limited amount of ancillary retail uses throughout the Employment Areas. Small-scale retail uses, supportive of employment uses and serve the daily needs of employees, visitors and area businesses will be permitted.

Existing and planned commercial-retail uses, immediately north and south of the Secondary Plan area, will serve the general retail needs of business within the WVEA, as such revisions to the Plan have not been made with respect to these policies.

Parkland Dedication

Concerns Park were expressed with respect to a planned District Park in terms of its size and location. The City has identified the need for a district park between Highway 27 and Highway 427 'conceptually' shown on Schedule 3, and discussed in Section 2.4.1. Section 1.7 Parks also provide an option for a smaller district park plus a neighbourhood park as an alternative to the 10 ha district park. The Official Plan and Secondary Plan provide that the location and configuration of parkland be ultimately determined through the Block Plan process.

Staff Review - Amendments to Text and Mapping

On-going staff review of the West Vaughan Employment Area Secondary Plan, including any additional comments received as a result of the August 31, 2010 meeting. Comments received by internal departments as a result of internal circulation were incorporated into the draft Secondary Plan prior to the May 25, 2010 public release. All suggested comments have been

incorporated, to the best of knowledge, into the May 25, 2010 version of the West Vaughan Employment Area Secondary Plan where appropriate.

In addition, the Schedules of Volume 1 of the Plan will be amended to reflect the Council approved West Vaughan Employment Area Secondary Plan.

Relationship to Vaughan Vision 2020

The West Vaughan Employment Area Secondary Plan pertains to the section of Vaughan Vision 2020 dealing with "Plan and Manage Growth & Economic Vitality", including the following specific initiatives:

- Complete and implement the Growth Management Strategy (Vaughan Tomorrow);
- Conduct the 5-year comprehensive review of the Official Plan as part of the Growth Management Strategy 2031;
- Support and coordinate land use planning for high capacity transit at strategic locations in the City;
- Prepare an employment area plan for the Vaughan Enterprise Zone and employment lands.

Regional Implications

The Secondary Plan has been prepared in consultation with the Region of York staff and is in conformity with the Regional Official Plan, which was adopted in December 2009 and is currently awaiting approval by the Province. As the approval authority for the Vaughan Official Plan, this report will be forwarded to the Region by the in support of the Secondary Plan upon approval by Council.

Next Steps

The recommended changes to the May 2010 draft of the West Vaughan Employment Area Secondary Plan directed by Committee of the Whole, at this meeting, are anticipated to be ratified by Council on September 7, 2010. In the interim, the Plan will be revised to incorporate the recommended changes to enable Council to consider the adoption of the Secondary Plan at the September 7th meeting. Any further changes resulting from continuing review or issue resolution will be reported on September 7, 2010 by way of an additional information item.

Conclusion

The draft West Vaughan Employment Area Secondary Plan was made available for public review on May 25, 2010. This was followed by a statutory public hearing on June 14, 2010. At the public hearing Committee received the deputations and written submissions and scheduled this Committee of the Whole meeting (August 31, 2010) to consider a report and recommendations regarding for the comments received. Submissions which continued to be received up to August 12, 2010 have also been addressed.

Approximately 21 submissions received from private citizens/landowners, development interests, interest groups and governments and public agencies, have been analyzed and recommendations have been developed to respond to the identified issues. These are set out in detail in Attachment 1. The approach taken to some of the key policy areas have also been highlighted above.

Each request for a change was considered on its merit taking into consideration the principles of the new Official Plan, the need to ensure continuing conformity with senior level policy direction (e.g. the Regional OP and the *Places to Grow* plan) and adherence to sound planning principles.

Therefore, it is recommended that the draft West Vaughan Employment Area Secondary Plan (May 2010) be modified in accordance with the recommendations contained in this report. It is further recommended that that staff proceed with the revisions to the plan, incorporating the changes recommended herein, and that the revised plan proceed to Council for adoption at its September 7, 2010 meeting.

Attachments

- Summary of Submissions, Staff Comments and Recommendations: Draft West Vaughan Employment Area Secondary Plan, May 2010.
- 2. Study Area Map
- 3. Transportation Network (Schedule 1)
- 4. Natural and Cultural Heritage (Schedule 2)
- 5. Land Use Schedule (Schedule 3)
- 6. Correspondence Pertaining to the Draft West Vaughan Employment Area Secondary Plan, (Volume 2) May 2010 (Mayor and Members of Council ONLY)

Report prepared by:

Melissa Rossi, Policy Planner 1, ext. 8320

Respectfully submitted,

John Zipay

Genmissioner of Planning

Diana Birchall

Director of Policy Planning

PART A: Index of Correspondence for PART B
West Vaughan Employment Area Secondary Plan
Summary of Respondents' Requests/Concerns and Staff Comments and Recommendations Attachment 1

5B	June 14, 2010	Weston Consulting Group Inc.	10355 HWY 50
6 B	June 3, 2010	Weston Consulting Group Inc.	9441 Huntington Road
4	June 8, 2010	KLM Planning Partners Inc.	7050 Major Mackenzie Drive
113A	June 8, 2010	KLM Planning Partners Inc.	Block 59 (Bounded by Rutherford Road, Langstaff Road, Highway 27 and Huntington Road.
120	June 4, 2010	Ontario Realty Corporation (ORC)	West Vaughan Employment Area
126	June 14, 2010	KLM Planning Partners Inc.	Block 60, Lots 16-20, Concession 9
139	June 3, 2010	John Simone	Adjacent to proposed highway interchange for Highway 427 and Rutherford Rd.
148A	June 14, 2010	Richard Ristich Raymond Ristich	Northwest corner of Highway 27 and Langstaff Road
148B	July 5, 2010	Richard Ristich Raymond Ristich	Northwest corner of Highway 27 and Langstaff Road

West Vaughan Employment Area Secondary Plan Summary of Respondents' Requests/Concerns and Staff Comments and Recommendations Attachment 1
PART A: Index of Correspondence for PART B

210	June 11, 2010	Rice Commercial Group	8682 HWY 27
211	May 17, 2010	Metrolinx	West Vaughan Employment Area
212	June 30, 2010	City of Brampton	West Vaughan Employment Area
213	July 8, 2010	Region of Peel	West Vaughan Employment Area
214	June 11, 2010	Bell Canada	West Vaughan Employment Area
215	June 10, 2010	Toronto and Region Conservation Authority (TRCA)	West Vaughan Employment Area
216	July 6, 2010	A. DiMonte & Son Ltd.	Part of east haif of lot 16, Vaughan, Pt. 3 P164R3136
319	August 6, 2010	Ministry of Municipal Affairs and Housing	West Vaughan Employment Area

Attachment 1

West Vaughan Employment Area Secondary Plan

Part B: Summary of Respondents' Requests/Concerns and Staff Comments and Recommendations

	1) No change is recommended. 2) No change is recommended.	3) No change is recommended.	4) Revise policy 2.5.7. to require the following landscape requirements:	on a. Prestige Employment designations – 15% of the lot area	b. General Employment designations – 10% of the lot area. y in	
	1) Policy 9.2.2.10 (c) of Vaughan OP Volume 1, permits a limited amount of commercial / retail uses in Prestige Employment Areas.	The Policies set out in the new Official Plan restrict the amount of retail uses within Employment Areas. This is	"employment land protection" of the Provincial Policy Statement, the Places to Growth Plan for the Greater	Golden Horseshoe, and the York Region (S.2.2.6).	Further background studies initiated by the City as part of the Official Plan review such as the Commercial Land Use Review and Housing and Employment Strategies, discuss employment land and area protection 2) Policy 2.2.5 provides the opportunity to re-evaluate the street network identified in Schedule 1 of the WVEA Secondary Plan through the Block Plan process. 3) See comment item 5B (2) above.	requirement for Prestige Employment
	1) Requesting consideration be given to allowing some commercial uses within the Prestige Employment designation along Highway 50 at signalized intersections.	2) Object to proposed Transportation Network which shows the north/south	collector road in the rear yard of the approved transfer facility. Requesting road be moved to the west of the	bullding. 3) Requesting the alignment of the	4) Object to Policy 2.5.7. proposing landscape open space requirement of 20% of the lot area for lands in General Employment, and 30% for Prestige Employment designation. Inclusion of mandatory, numeric landscaped open space requirement in Official Plan is inappropriate.	
	DATE: June 14, 2010 RESPONDENT:	Group Inc.	Danlaughton Holdings Ltd.	10355 HWY 50		
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Part B: Summary of Respondents' Requests/Concerns and Staff Comments and Recommendations West Vaughan Employment Area Secondary Plan

	1) That Schedule 13 and 13-F (Volume 1) be amended to identify the lands as "General Employment" consistent with Schedule 3 of the WVEA Secondary Plan (Vol 2). 2) Refer to recommendation for Item 5B (4). 3) No change is recommended
from 30% to 15%; and General Employment from 20% to 10%. Policy permits for the landscape area requirement to be met through landscaped areas at grade as well as through the provision of 'green' roofs and storm water management ponds. Staff will also undertake further research to address the most appropriate way of providing landscaping for employment designation developments that improves on current practices and, meets the objectives of Green Directions and the intent of the new Official Plan. Any	changes will be dealt by a request for a modification to the Region of York. 1) The "General Employment" land use designation mapping for subject lands as shown in Schedule 13 (Volume 1), and Schedule 3 (WVEA Secondary Plan) should be consistent. 2) Refer to comment for Item 5B (4). 3) Natural area and buffers are not typically included in minimum landscape area calculations. Staff does not support this request. The letter does not provide any justification to support this request.
	 Request that the General Employment designation be shown in Volume 1. Object to policy 2.5.7 stipulating a landscape open space requirement of 20%. Wish to see numeric requirements left to the Zoning By-law. Request inclusion of policy that would allow Natural areas and buffer areas to count toward landscaping requirement.
	6B DATE: June 03, 2010 RESPONDENT: Weston Consulting Group Inc. FOR: Joe Cortellucci LOCATION: 9441 Huntington Road

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West Vaughan Employment Area Secondary Plan

	- Table						
ations		No change is recommended. No change is recommended.	3) The text describing Enhancement Areas on in Policy 3.2.3 of the Official Plan should be changed as follows: "Enhancement Area opportunities have	been identified consistent with the Region of York Official Plan policies to identify potential enhancement areas and linkages that complement the Regional Greenlands System in	consultation with the Toronto and Region Conservation Authority, the potential Enhancement Areas reflect the best opportunities on remaining undeveloped land to provide additional habitat and/or ecological connectivity of the Natural Heritage Network through restoration or	re-naturalization of specific natural features. Enhancement Areas have been identified conceptually on Schedule 2 (OP Volume 1).	The request for and precise limits of Enhancement Areas to add to the Natural Heritage Network will be determined through appropriate studies to be initiated by the City or prepared as part of the development approvals process. Policy 3.2.3.9 should be changed to Policy 3.2.3.11, or
staff Comments and Recommend		1) Policies 1.7 and 2.4 pertaining to parks, provides the flexibility of providing alternative park dedication such as one	smaller district park and one neighbourhood park. The location of the parkland will be determined through the Block Plan process. The size of the District Park was calculated for the entire	secondary plan area, based on current parkland dedication rates for non- residential uses in amounts as per the Planning Act.	2) The target of 40 jobs per hectare is a target based on the Regional land budget exercise. Although it is not a requirement, the City will encourage and assist in achieving the targets as set out by the Region.	 Criteria for Enhancement Areas are provided on Page 31 of the Natural Heritage in the City report. 	4) The City is conducting a District Energy Feasibility Study which will determine whether District Energy Systems are feasible for this area. Policy 2.3.9. (b) also supports the Objective 1.2 (To promote reduction of greenhouse gas emissions in the City of Vaughan), in Council approved Green
West Vaughan Employment Area Secondary Plan Part B: Summary of Respondents' Requests/Concerns and Staff Comments and Recommendations		1) Policy 1.7 Parkland Dedication. Concern that the area is too large to secure the parkland through landowner	agreements. Request that the City purchase the required parkland from cash in lieu collected as development proceeds.	 Policy 2.1.3 Minimum Target of 40 jobs per hectare. This will be difficult to achieve in an area largely devoted to warehousing and logistics. 	3) Policy 2.3 Enhancement Areas. Request scientific analysis and modeling used to develop Natural Heritage Network represented on Schedule 2. Request to delete Enhancement Areas in Urban areas.	4) Policy 2.3.9.b District Energy Systems. These are only feasible where appropriate development densities are present. See Section 8.5.1.6 of Volume	 5) Policy 2.5.3 Land Use. Request to amend this policy to reflect the reality that there is no possibility to screening containers stacked 5 high through landscaping. 6) Policy 2.5.4 Land Use. Request to
Vaughan Emplor Summary of Res		DATE: June 08, 2010	KESPONDENT: KLM Planning Partners Inc. FOR:	Guscon Mackenzie Ltd. LOCATION: 7050 Major	Mackenzie Drive		·
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West Vaughan Employment Area Secondary Pian Part B: Summary of Respondents' Requests/Concerns and Staff Comments and Recommendations

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appropriate number reference, as follows: That Enhancement Areas are identified conceptually on Schedule 2	and may be important potential	components of the Natural Heritage	freework because they may, all enhance form and function of watercourses; b)	maintain and/or enhance water flow; c)	improve wildlife habitat value; d) improve	species movement and/or dispersal; e)	provide restoration options; f) improve	overall connectivity value; and, g)	improve the likelihood of maintaining	3.2.3.10 should be changed to Policy	3.2.3.12, or appropriate number	reference, as follows: That development	as provided for on Schedule 13 is	permitted on all or part of Enhancement	Areas subject to environmental studies	conducted by the City or submitted as	part of the development process, and	prepared to the satisfaction of the City in	consultation with the Toronto and Region	the studies will be to determine the	function of the proposed Enhancement	Area; to determine its supportability	based on applicable science; and to	establish the size and boundary of the	Enhancement Area. Policy 3.2.3.11 to be	changed to Policy 3.2.3.13, or annountate number reference as	
Directions Vaughan, the City's Community and Sustainability and Environmental Master Plan.		5) The City will be developing a Zoning	by-law and Orban Design Guidelines that will provide detailed direction on the	creation of an attractive City image for	this area. The Zoning By-law and Urban	Design Guidelines will address	appropriate level of screening and take	into account specific site issues. Details	of screening and design features will be	Planning process.		6) See comment 5 above.		7) The "Intermodal Priority Area"	designation is not appropriate in this	location as the lands are separated from	the Intermodal Area by an arterial road.		8) Refer to comment for Item 5B (4).	9) Policy is addressed in Section 8 5 1 2	(Volume 1) of the City Official Plan.	Policy 2.6.2. respecting "Community	Energy Plans" supports Policy 5.2.13 of	York Region Official Plan.		10) Policy 2.2.5 provides the opportunity	to re-evaluate the street network
amend this policy to reflect reality of container business.	7) Policy 2.5.5 Request to extend the	land subject to this policy to encompass	Guscon Mackenzie lands.	8) Policy 2.5.7 pertaining to minimum	landscape requirements. Request to	delete this policy as it will require	significant reduction in site area for	construction, and is a significant change	from Bylaw 1-88.	9) Policy 2.6.2 Community Energy Plan.	Request details on Plan and	implementation.		10) Schedule 1 Transportation Network.	Request that costs are not borne by	Guscon Mackenzie, as the road will be	detrimental to Guscon Mackenzie's	effective use of their lands.	A41 Motor for a factor of the Davidoo	Schedule 2 to show that drainage ditch	on property can be modified, realigned,	or channelized.			Intermodal Priority Area be expanded to	include land in first concession lot north	of Wajor Machanaka Dive.
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West Vaughan Employment Area Secondary Plan

Part B: Summary of Respondents' Requests/Concerns and Staff Comments and Recommendations

follows: Lands deemed appropriate as Enhancement Areas will be incorporated into the Natural Heritage Network as Core Features or suitable open space	designations. Such changes do not require amendment to this Plan.	4) No change is recommended.	6) No change is recommended.	7) No change is recommended.	8) Refer to recommendation 5B (4).	9) Policy 2.6.2. is redundant to Policy 8.5.1.2 in OP Volume 1.	Recommendation to remove policy 2.6.2. from the WVEA Secondary Plan, however Policy 8.5.1.2. in OP Volume 1 would still apply.	10) No change is recommended.	11) Core Features policies to be changed to Volume 1, and applicable to Volume 2 are recommended as follows:	Policy 3.2.3.7 (c) to be changed as follows:
identified in Schedule 1 of the WVEA Secondary Plan through the Block Plan process.	11) A concern is raised about a drainage channel that appears as a Core Feature on the subject lands in the West	Vaughan Employment Areas. As agreed by TRCA and the Region of York, all	Features.	Core Features policies in Section 3.2.3 of Volume 1 of the Official Plan have	modifications of the Core Features	environmental studies.	12) See comments for Item 41 (7) above.			
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West Vaughan Employment Area Secondary Plan

Part B: Summary of Respondents' Requests/Concerns and Staff Comments and Recommendations

That new development and/or site alteration in Core Features are prohibited except for the following: a. natural area management for the purposes of maintaining and enhancing the functions associated with Core Features; b. flood or erosion control projects, where such projects are necessary and deemed in the public interest after all alternatives have been considered, and where such projects will not result in a negative impact on the Core Features and will not have a negative impact on the ecosystem function; c. transportation, infrastructure, and utilities, where such projects are necessary and deemed in the public interest after all alternatives have been considered, and where such projects will minimize negative impacts on the Core Features and measures shall be identified to maintain habitat area and enhance overall ecosystem function; and, d. low-intensity and passive recreational activities where such have a negative impact on the Core Features and will not have a negative impact on the ecosystem function.	Policy 3.2.3.8 to be changed as follows:	Unauthorized removal or alteration of natural features or functions within areas
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Part B: Summary of Respondents' Requests/Concerns and Staff Comments and Recommendations West Vaughan Employment Area Secondary Plan

identified as Core Features is prohibited, and will result in the features and functions being restored to their previous state at no expense to the City of Vaughan and other public agencies. In the case of a development application,	the application will not proceed until restoration works have been undertaken to the satisfaction of the City and TRCA and/or Region or York, as needed. A new policy will be added to the Core Features policies, as follows: That minor modifications to the boundaries and alignment of Core Features, as identified	on Schedule 2, may be considered if environmental studies, submitted as part of the development process to the satisfaction of the City and in consultation with the Toronto and Region Conservation Authority, provide appropriate rationale for such minor modifications and include measures to	maintain overall habitat area and enhance ecosystem function. Minor modifications deemed acceptable by the City and the Toronto and Region Conservation Authority do not require amendment to this Plan. Core Features and their ecological buffers will be encouraged to be conveyed to the City and/or TRCA as a condition of development approval.

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Recommendation (12) No change is recommended.	1) No change is recommended. 2) No change is recommended. 3) No change is recommended. 4) No change is recommended. Policy 3.2.3.2 addresses the ability to make minor modifications to Core Features. Additional text is provided in relation to Policies 3.2.3.4 to 3.2.3.9 to specify the ability to make minor modifications to Core Features. 5)No change is recommended to Policy 3.2.4.3.
	 The delineation of the Natural Heritage Network is described in the background study, Natural Heritage in the City. Policy 9.2.2.9 and 9.2.2.10. in Volume 1 permits a limited amount of ancillary office uses within the Employment Areas. Section 5.2.2. (Attracting Office Uses) in Volume 1 sets out the hierarchy of office uses that reinforces Vaughan's intended Urban Structure. Background studies initiated by the City as part of the Official Plan review such as the Commercial Land Use Review and Housing and Employment Strategies; discuss retail uses within employment land and area protection. Policies 1.7 and 2.4 pertaining to parks, provides the flexibility of providing alternative park dedication such as one smaller district park and one neighbourhood park. The location of the parkland will be determined through the Block Plan process. Policy 3.2.4.3 of Volume 1 of the City
	 Concern with the extent of the Natural Area designation shown on Schedule 13-L. What work was relied upon to determine limits. Concern with limitations on free standing office space and office accessory to a permitted employment use. Recommend the accessory office space provision undergo further review. Request background material used in determining restrictions on retail use in employment area-floor area and locational restrictions. Recommend moving the District Park designation to land between HWY 427 and the Hydro Corridor, adjacent to the Community Multi-Use Recreational Pathway. Concerned the current designation is on valuable employment land. Concern with new Official Plan requiring studies to be undertaken on the lands within 120 metres of identified features. It is unreasonable to require
	DATE: June 08, 2010 RESPONDENT: KLM Planning Partners Inc. FOR: Block 59 Landowners Group LOCATION: Block 58 (Bounded by Rutherford Road, Langstaff Road, Highway 27 and Huntington Road.
	113A

West Vaughan Employment Area Secondary Plan Part B: Summary of Respondents' Requests/Concerns and Staff Comments and Recommendations Attachment 1

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Part B: Summary of Respondents' Requests/Concerns and Staff Comments and Recommendations West Vaughan Employment Area Secondary Plan

	LOCATION: Lots 16-20, Concession 9	 Request background material used In determining restrictions on retail use in employment area- floor area and locational restrictions. 		
139	DATE: June 03, 2010 RESPONDENT: John Simone LOCATION: Adjacent to proposed highway interchange for Highway 427 and Rutherford Rd.	 Request that the land use for entire parcel be designated to Prestige Employment. Land use designations too restrictive, expecially with respect to GFA set at a maximum of 7500 sq m for office use. Request same land use designation as OPA 450 be applied to lands. 	1) The subject lands meet the criteria for Prestige Employment Designation as set out in Policy 9.2.2.10 (Volume 1). In addition, the revisions to Policy 10.2.1.4. (Volume 1) was recently amended to extend Prestige Employment Designation uses abutting an arterial street or Provincial highway shall be interpreted extend one lot depth, up to 200 meters, in from the arterial street or Provincial highway applicable to the subject lands.	1) Except where designated as "Natural Area" on Schedule 3 of the WVEA, amend Schedule 13 (Volume 1), and Schedule 3 - Land Use (Volume 2) to designate lands as "Prestige Employment" designation. 2) Refer to recommendation Item 113A (2).
148A	DATE: June 14, 2010 RESPONDENT: Richard Ristich Raymond Ristich FOR: Richard Ristich Raymond Ristich LOCATION: Northwest corner	Request designation of subject lands as commercial or as appropriate to permit large scale retail uses including retail shopping centre, retail only use, restaurants, office uses and gas stations.	The Policies set out in the new Official Plan restrict the amount of retail uses within Employment Areas. This is consistent with the policy objective of "employment land protection" of the Provincial Policy Statement, the Places to Grow: Growth Plan for the Greater Golden Horseshoe, and the York Region Official Plan (S.2.6). Further background studies initiated by the City as part of the Official Plan review such as the Commercial Land	No change is recommended

Part B: Summary of Respondents' Requests/Concerns and Staff Comments and Recommendations West Vaughan Employment Area Secondary Plan Attachment 1

	Use Review and Housing and Employment Strategies, discuss employment land and area protection.	Item 148-A No change is recommended.	1) Policies 1.7 and 2.4 pertaining to parks, provides the flexibility of providing alternative park dedication such as one smaller district park and one neighbourhood park. The location of the parkland will be determined through the Block Plan process. The size of the Block Plan process. The size of the cecondary plan area, based on current parkland dedication rates for non-residential uses according to the Planning Act. 1) No change is recommended. So No change is recommend
	Use Review and Housing and Employment Strategies, discuss employment land and area prote	See comments for Item 148-A	1) Policies 1.7 and 2.4 pertaining to parks, provides the flexibility of provalternative park dedication such as smaller district park and one neighbourhood park. The location oparkland will be determined through Block Plan process. The size of the District Park was calculated for the secondary plan area, based on curr parkland dedication rates for non-residential uses according to the Planning Act. In the event that a Park is not provic this location, the underlying land use be permitted.
		Request subject lands be designated to permit large scale retail uses	Parkland 1) Proposed location and size of Parkland would take up significant portion of property; approximately 30%. 2) Policy 2.4.2. – requirement for landowners to initiate an agreement to secure a location of a Park. The District Park should not be schematically shown on Schedule 3 until landowners and the City decide on a site that is mutually agreed upon. 3) Location of a Parkland should
	of Highway 27 and Langstaff Road	DATE: July 05, 2010 RESPONDENT: Richard Ristich Raymond Ristich LOCATION: Northwest corner of Highway 27 and Langstaff Road	DATE: June 11, 2010 RESPONDENT: Rice Commercial Group FOR: HWY 27 & Langstaff Limited Partnership, Block 59 Landowners Group LOCATION: 8682 HWY 27
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9) Revise policy 2.5.8. (e) to read "green" roofs as identified in policy 9.2.3.7.f. (Volume 1).	Revise policy 9.2.3.7.f. (Volume 1) to read:	The rooftop of Employment/Industrial Buildings should include landscaped private outdoor amonity	space or environmental features such as: solar panels and cool roofs.	
2) The location of the District Park is the City's preferred location; however it is concentrally shown on Schedule 3 of the	WVEA as discussed in Policy 2.4.1. Also see Comment 1) above.	3) See Comment 1) and 2) above with respect to adding commercial uses.	 4) Policy 2.2.5 provides the opportunity to re-evaluate the street network identified in Schedule 1 of the WVEA Secondary Plan through the Block Plan process. However, a system of through block streets is an important objective of the Plan and options are limited with respect to their location. 5) See comment 4 above. Access will be determined by the City of Vaughan and York Region, in consultation with the Region of Peel, and City of Brampton. 6) Policy 9.2.2.9 and 9.2.2.10. in Volume 1 permits a limited amount of ancillary office uses within the Employment Areas. Section 5.2.2. (Attracting Office Uses) in Volume 1 sets out the hierarchy of office uses that reinforces the 	vaugnan's intended Urban Structure. 7) The City is conducting a District
not be located on such a prestigious and valuable piece of employment land located on Highway 27. Recommend	adding a buffer with compatible use such as retail in the location shown as Parkland, if a buffer to	residential across the street is intended.	Transportation 4) The new proposed local street network with the north-south and east-west patterns shown on Schedule 3 do not create the large development parcels noted in the Plan. The north-south road shown on the far west side of site could potentially hinder marketing efforts to attract large-scale users to the property. 5) Figure 3 – subject lands would be landlocked and not provide direct access to frontage onto Highway 27. Appropriate access to the Secondary Plan area should be located across from Sanremo Court on the east side of Highway 27.	Restricting Major Office 6) Policy 2.1.4. restricts Major
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	Policy 2.5.6. should be revised to state that Metrolinx will be consulted on any development applications in that area in order to ensure that the needs of a future station are appropriately accommodated and protected. Add policy 2.2.11 (c) to read "support the successful integration of Transit
Energy Feasibility Study which will determine whether District Energy Systems are feasible for this area. Policy 2.3.9. (b) also supports the Objective 1.2 (To promote reduction of greenhouse gas emissions in the City if Vaughan), in Council approved Green Directions Vaughan, the City's Community and Sustainability and Environmental Master Plan. 8) See comment item 5B (4). 9) Policy 2.5.8. (e) should include reference to new Volume 1 policy 9.2.3.7.f respecting rooftop requirements for Employment/Industrial Buildings. Revision to policy 9.2.3.7.f (Volume 1) should be revised to include "cool roofs".	 Details of methods for achieving protection as identified in Policy 2.2.9. will be determined through the Block Plan circulation process where appropriate. Policy 2.5.6. should be revised to refer to the location of potential GO Transit Future Station Area. City staff will work in coordination with Metrolinx through the Block Plan process to
Office from Secondary Plan Area. Request that Major Office should be included in Secondary Plan Area. District Energy 7) Policy 2.3.9.b promotes District Energy, however not beneficial in low density employment area. District Energy more successful in higher density area, Minimum Landscaped Area 8) Policy 2.5.7.a) and b) requiring a landscape coverage of 20% and 30% is not acceptable. 9) Policy 2.5.8.e requiring that landscape requirements should be added to roofs would cause an increase in building cost.	1) Policy 2.2.9 – minimizing conflict between truck traffic and other forms of transportation. Suggesting the inclusion of methods for achieving such protection through zoning (setbacks), prescription of required safety/impact mitigation measures. 2) A proposed GO station being planned for at Major Mackenzie Drive and Rutherford Road through the GO Transit
	May 17, 2010 RESPONDENT: Metrolinx

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Oriented Development as identified in Policy 4.2.2. of Volume 1 City Wide Official Plan." licies of Microsoft Plan." licies of Microsoft Plan." ort the print the p	1) Policies included supporting requests; therefore no change is recommended at this time. 2) Schedule 3 of the WVEA be revised to include locations of Community Bike Lanes as per Map 4 of the City's Pedestrian and Bicycle Master Plan. Policy 2.6.3. to be revised to read:
ensure the protection of lands from development that could preclude or negatively affect the planning and development of future right-of-ways. 3) These are addressed through policies 2.5.6 – requiring that Metrolinx is consulted in the development of Block Plans for Secondary Plan Areas. Policy 2.2.11 (a) includes policies to support the proposed Bolton GO Transit Corridor; and policy 2.2.8 requires that opportunities to support long-term protection of the rail corridor and future commuter rail opportunities of the rail corridor are identified where appropriate. TOD policies are included in Sections 4.2.2.12 to 4.2.2.14 of Volume 1 of the New Official Plan, therefore are required throughout the City.	1) Staff concur with this request. Policy 2.2.5 provides the opportunity to reevaluate the street network identified in Schedule 1 of the WVEA Secondary Plan through the Block Plan process. Policy 2.6.3 in the WVEA Secondary Plan requires that Transportation Master Plans shall be coordinated in consultation wit the Region of Peel. These changes will be dealt with as
Bolton Feasibility Study. Recommending that section 2.5.4 development should be restricted in areas identified on Figure 3 as 'Potential GO Transit Future Station Area". Such areas are not identified on Figure 3 attached to the document. 3) Section 2.5.4.b – requiring the inclusion of GO Transit in Block Plan circulation. Requesting that an approach consistent with 2.2.12 that proposed development should occur in a manner that provides convenient access to the area transit facilities and encourages transit use (exhibiting TOD development characteristics). Requesting this approach also be applied to 2.5.8.	Long Range Planning 1) Requesting that Brampton and Vaughan work in a coordinated fashion in new road connections across Highway 50, including proposed road (between Langstaff and Rutherford Road) crossing Highway 50 into Brampton. The Region of Peel requires input and consultation regarding intersection spacing along Highway 50 and whether any new access
	DATE: June 30, 2010 RESPONDENT: City of Brampton
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ltem	Submission	lssue	Comment	Recommendation
		points are acceptable.	appropriate through the Block Plan and Development Planning process.	"That the Transportation Master Plans required in the preparation of Block
		2) Requesting coordination for Class	•	Plans shall be completed to the
		1and Class 2 bicycle network and bicycle	2) Details of the Bicycle Network east of	satisfaction of the City of Vaughan, York
		facilities needs to be coordinated with	Highway 50 will be determined through	Region and the Ministry of
		Brampton, with paths east of Highway	the Block Plan process. Schedule 4 of	Transportation, and in consultation with
		50, which do not appear in Figure 3.	the City's Pedestrian and Bicycle Master	the Region of Peel, City of Brampton and
			plan identifies locations for Community	Town of Caledon. For Blocks fronting
		3) The Vaughan TMP identifies Major	Bike Lanes.	Highway 50, Transportation Master
		Mackenzie Drive, Rutherford Road and		Plans shall also be prepared in
		Highway 27 on Policy 2.2.12 as forming	Policy 2.6.3. should be revised to include	consultation with the Region of Peel and
		part of the Transit Priority network,	City of Brampton and Region of Peel as	the City of Brampton".
		however, the WVEA Secondary Plan	being consulted respecting the TMP and	
		identifies Highway 7 and Major	the coordination of transportation	3) Revisions to Schedule 1 –
		Mackenzie Drive, east of Weston Road,	networks along Highway 50.	Transportation Network should be made
		as a different classification as Rapid		once the TMP is approved by Council.
		Transit Corridors. Clarification required	3) The WVEA plan relies on the York	Details of the road network will be
		of the two classifications.	Region Official Plan, the ongoing	determined through the Block Plan
			Transportation Master Plan (TMP) Study	process.
		4) Portion of WVEA Secondary Plan	and Vol. 1 of the Vaughan OP for the	
		abuts Highway 50 (Block 66) also falls	details of the transit network. The road	4) Mapping in the WVEA to be updated
		within MTO 'Area of Interest #2'. Area of	network identified in the WVEA is	once GTA West Corridor Final EA is
		Interest #2 is not reflected in secondary	consistent with the ongoing TMP.	approved.
		plan mapping. Recommended that this		
		designation be included more accurately	4) The alignment of the GTA West	Revise reference to subject lands in
		to reflect potential highway expansion in	Corridor as shown in Schedule 9	Section 1.2 and wherever applicable as
		the area.	(Volume 1) is conceptual. Will not be	"Highway 427 Industrial Secondary
			confirmed until GTA West is further	Plan".
		Policy Planning	advanced.	
		:	;	6) No change is recommended.
		Following comments have implications for impacting Area 47, located between	5) Noted - Section 1.2 currently describes the subject area as "Highway	7) Revise policy 2.6.3. to read "That the
		Nashville Road to the north and Major	427 Industrial Zone".	I ransportation Master Plans required in

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Item	Submission	- Issue	Comment	Récommendation
		Mackenzie Drive to the south, east of Highway 50 in the City of Brampton.	6) See Comment 4) above.	the preparation of Block Plans shall be completed to the satisfaction of the City of Variation Sork Begins and the
		5) Reference to City of Brampton's Area	7) Policy to be included for consideration	Ministry of Transportation. For Blocks
		47 should be revised to read "Highway	and coordination of development with	fronting Highway 50, Transportation
		Description does not accurately reflect	Only of praintplot and Neglon of Peer.	consultation with the Region of Peel, City
		the residential areas in addition to the	8) See Comment 2) above.	of Brampton and Town of Caledon".
		Industrial designations that are also intended to be designated within the	9) See Comment 2) above	8) See Recommendation 2) above
		Secondary Plan's boundaries.		
		•	10) See Comment 2) above.	9) See Recommendation 2) above.
		6) Vaughan Official Plan [Schedule 9]		
		shows the proposed GTA West Corridor		10) See Recommendation 2) above.
		dissecting through the entire secondary		
		plan area. This does not reflect current		
		reflect the connections with Vaugnan that		
		that connects brampton to the wvea.		
		7) Development on either side of		
		Highway 50 needs to be coordinated.		
		Request that wording be added to the		
		WVEA to acknowledge that Brampton will		
		have its own set of development controls		
		and proposed land uses and the need to		
		ensure consistency and integration		
		across the municipal boundaries.		
		8) Request that road upgrades along Maior Mackenzie be coordinated with the		

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ltem	Submission Issue.		*Comment	Recommendation
		City of Brampton and Region Peel as it may have an impact on the Highway 427 extension proposed to extend into Brampton's Area 47 via Major Mackenzie Drive.		
		9) Wording should be provided in the WVEA about working with Brampton to ensure this active transportation and green space link is maintained and is addressed as a pedestrian crossing		
		across Highway 50. 10) Requesting that access to Highway 50 from both sides should take place consistently along the corridor and not in		
		a way that creates traffic and safety issues. Requesting that wording in the WVEA to acknowledge that subdivision		
		of land in Brampton side may not be consistent with the Vaughan side and that efforts should be made to ensure		
213	DATE: July 08, 2010	1) Supports policies in Section 2.2.10 and 2.6.3. calling for cooperating with	1) Policy 2.2.5 provides the opportunity to re-evaluate the street network identified in Schedule 1 of the WVEA	Policies supportive of requests, therefore no changes requires at this time.
	RESPONDENT: Region of Peel	connections to Highway 50. Future connections to Highway 50 shall be limited and based on a 450 metre	Secondary Plan through the Block Plan process.	
		spacing.	2) Policy 2.6.3 in the WVEA Secondary Plan requires that Transportation Master	
		2) Peel Region has permitted a	Plans shall be coordinated in	

Recommendation		1) Add policy 2.2.14 to read: "To consider the potential impacts on existing utility infrastructure and opportunities for enhancement and/or replacement as part of street construction, improvements and maintenance through discussions with utility providers". 2) Add policy 8.4.4.4.(pertaining to Telecommunications and Data) in Volume 1 to read: "To consider the potential impacts on existing utility infrastructure and opportunities for enhancement and/or replacement as part of street construction, improvements and maintenance through discussions with utility providers".
-Gomment	consultation wit the Region of Peel. These changes will be dealt with as appropriate through the Block Plan and Development Planning process.	1) Request that consideration be given to utility provisioning requirements within transportation and road policies of policy documents. 2) Policy provisions concerning the potential impacts on existing infrastructure and opportunities for enhancement or replacement of street construction should be in included as a 'city-wide' provision.
enssi	temporary full moves access to Highway 50 for the proposed Waste Transfer and Recycling facility site within Block 66. Ensure permanent access to the site can be provided through the proposed road network for Block 66, shown on Schedules 1, 2, and 3.	Bell has submitted a letter requesting number of modification to various sections within the OP mainly regarding telecommunications infrastructure.
Submission		DATE: June 11, 2010 RESPONDENT: Bell Canada
ltem.		214

Attachment 1

Part B: Summary of Respondents' Requests/Concerns and Staff Comments and Recommendations

lfem.	Submission	enss)	Comment:	Recommendation
215	DATE: June 10, 2010	To include a note on the need to determine the development limits prior to	This note will be considered for the appropriate policy section.	1) No change is recommended.
	RESPONDENT: Toronto and	any approvals in Section 1.6 (Opportunities and Constraints).	2) The City concurs with the TRCA and changes to the text of Section 1.7 will be	 The text of Section 1.7 under the subheading of Environment should be changed as follows:
	Region Conservation	2) Regarding Section 1.7 under the subheading of Environment, TRCA	made to reflect the comments.	A large network of tributaries of the
	Authority (TRCA)	suggest adding text referring to the recent release of the Redside Dace	3) The term is not used in Policy 2.1.1.	Humber River forms the basis of the Natural Heritage Network in the WVEA.
		Recovery Strategy and there is a specific guestion about the use of the term	4) The City concurs with the TRCA and changes to the text of Policy 2.1.7 will be	which also includes wetlands and wondlands. These natural heritage
		"naturalized stormwater management".	made to reflect the comments.	resources provide a variety of ecosystem functions that should be presented and
		3) TRCA questions the term "leveraging" in Section 2.1.1.	5) The City concurs with the TRCA and changes to the text of Policy 2.2.4 will be	enhanced through new development, as stated in Volume 1 of the Official Plan.
		4) Specific changes to the text of Policy 2.1.7 are suggested.	6) The City concurs with the TRCA and	be characterized as an asset to the area providing attractive settings for business
		5) Specific additions to Policy 2.2.4 are suggested.	changes to the text of Policy 2.2.0 will be made to reflect the comments.	and enabling the City's trail network. Impacts on the Natural Heritage Network as a whole, and on any specific local
		6) Specific changes to the text of Policy 2.2.6 are suggested.	7) It is not the intention of the WVEA plan to specifically secure additional paths in the Natural Area, other than what is approved in the Pedestrian and	features, will be minimized through on- site environmental enhancement, including Low Impact Development (LID)
		7) TRCA seeks confirmation that no other portions of the Natural Heritage Network	Bicycle Master Plan. The WVEA plan encourages a connected trail system.	and built form initiatives, such as green
		are targeted for a Neignbourhood Multi- use Recreational Pathway as noted in Policy 2.2.13 (incorrectly noted as 2.2.14 in the TRCA letter).	trail detailed connections will be determined through the Block Plan process.	and other means, could provide further environmental enhancement benefitting both the natural environment and
		8) Regarding Policy 2.2.13, it is	8) The City concurs with the TRCA and	businesses. The detailed development limits against all natural heritage features

Item	Submission	Issue	T. Comment	Recommendation
		suggested to note that the trails network	changes to the text of Policy 2.2.13 will	and hazards will be determined at the
		is conceptual and it should be	be made to reflect the comments.	Block Plan stage. This level of analysis
		implemented in a manner that minimizes		should include the most recent relevant
		impacts to the Ivatural mentage Ivetwork.	9) No changes required.	information, such as the February 2010 release of the "Recovery Strategy for
		9) A comment noting policies that do not	10) A review of Volume 1 of the Official	Redside Dace (Clinostomus elongatus)
		require changes.	Plan in relation to all secondary plans will	in Ontario".
			take place. TRCA has not identified	
		10) Regarding Section 2.3	specific mapping changes. Furthermore,	3) No change is recommended.
		(Environment), it is requested to ensure	Policy 2.3.1 and Policy 2.3.2 provide	::
		consistency of mapping of the Natural	suitable reference to Chapter 3 of	4) Policy 2.1.7 is changed as follows:
		Heritage Network, but no specific areas	Volume 1 to ensure consistent policy	To protect and enhance the Natural
		of are identified.	interpretation through the development	Heritage Network and prioritize
			review process.	sustainable design, including a treatment
		11) The term "naturalized storm water		train approach and/or at-source controls,
		management facilities" is questioned in	11) Rather than supplying a definition,	in new development to minimize adverse
		Policy 2.3.6 (incorrectly noted in the	the text of the policy should reference	impacts on the natural environment.
		TRCA letter as Policy 2.3.5).	"naturalized storm water management	
			facilities" as revised to refer to	5) Policy 2.2.4 is changed as follows:
		12) Regarding Policy 2.3.7 (incorrectly	"stormwater management facilities within	To develop a grid-like street network with
		noted as Policy 2.3.6 in the TRCA letter),	naturalized settings" instead. This is	north-south and east-west mid-block
		it is noted that options to infiltrate	consistent with the reference to such	collectors that:
		stormwater flows may be limited in this	facilities in Policy 5.4(b) of the Vaughan	a. efficiently serves the transportation
		area and specific changes to the text of	Metropolitan Centre Secondary Plan.	needs of local users, including servicing
		the policy are suggested.		and shipping needs;
			12) The City concurs with the TRCA and	b. maximizes connectivity within the
		13) Specific changes to Policy 2.3.8	changes to the text of Policy 2.3.7 will be	employment area;
		(incorrectly noted as Policy 2.3.7) are	made to reflect the comments.	c. achieves a balanced street network
		suggested.		that efficiently distributes traffic;
			13) The City concurs with the TRCA. The	d. accommodates local truck traffic and
		14) TRCA suggests adding a policy that	draft WVEA Secondary Plan available on	truck access to the planned Highway 427
		speaks to the Provincial interest in	the City web site already incorporates	extension to reduce vehicular conflicts
		protecting endangered species pursuant	the I KCA recommendations in Policy	and capacity issues on arterial streets;

Attachment 1

Item	Submission) anssi	Comment	Recommendation
		to the Endangered Species Act.	2.3.7, specifically parts (a) and (b).	e. minimizes crossings of the Natural Heritage Network: and
		15) TRCA suggests adding a policy in	14) Policy 2.3.1 in the WVEA Secondary	f. minimizes encroachments into the
		Section 2.3 to identify, evaluate and manage headwater drainage features	policies of Chapter 3 of Volume 1 of the	
		through the development review process.	Official Plan. As this includes reference	6) Policy 2.2.6 is changed as follows:
			to pertinent legislation, including the	That the precise alignment of streets,
		16) It is suggested to recognize the	Endangered Species Act, it is not	including Regional streets and Provincial
		natural heritage and hazard features in	required to make a reference to one	highways (as identified on Figure 1), and
		the Intermodal Priority Area.	specific aspect of environmental protection unless there are recent	the reasibility of crossings of the Natural Heritage Network, shall be determined in
•		17) Regarding Policy 2.5.6 and the	observations of redside dace or other	the development of Block Plans or
		potential location of a GO station, it is	species listed by the Committee on the	appropriate Environmental Assessments,
		suggested to add text to consult with the	Status of Species at Risk in Ontario.	having regard for:
		City and TRCA in setting the		
		development limits.	15) Policy 2.3.1 in the WVEA Secondary	7) No change is recommended.
			Plan references the environmental	
		18) Regarding Policy 2.5.7, it is	policies of Chapter 3 of Volume 1 of the	8) Policy 2.2.13 should be changed as
		suggested to direct the landscaping	Official Plan. Hence, a specific	follows:
		requirement to areas adjacent to the	environmental feature is not appropriate	To implement an off-street trail network,
•		Natural Heritage Network, where	to note in a single policy in the	shown conceptually on Schedule 3, to
- "		applicable.	Secondary Plan.	provide recreational and commuter
				transportation options that complement
		19) Regarding Policy 2.6.1, TRCA	16) Policy 2.3.1 in the WVEA Secondary	the planned network of sidewalks and
		recommends being listed as a party to	Plan references the environmental	bicycle fanes while minimizing impacts
		the Block Plan process.	policies of Chapter 3 of Volume 1 of the	to the Natural Heritage Network by:
			Official Plan and is suitable to address	
		20) It is requested to add a policy or text	minimizing impacts to the Natural	9) No change is recommended.
		to define the limits of development with	Heritage Network in the Intermodal	
· .,		regard to the Natural Heritage Network in	Priority Area.	10) No change is recommended.
		Section 2.5.	2 - 1 - 2 - 2 - 2 - 2 - 2 - 2 - 2 - 2 -	A 4 \ Description of the contraction of the contrac
		21) Given the relation of urban form to	17) A specific statement regarding setting development limits for a single	water management facilities" in Section
			A PARTY CONTROL OF THE PARTY C	

Attachment 1

West Vaughan Employment Area Secondary Plan

Part B: Summary of Respondents' Requests/Concerns and Staff Comments and Recommendations

164	<u> </u>			· · · · · ·													
Recommendation	2.3.6. should be revised to read "stormwater management facilities within naturalized settings" instead.	12) Policy 2.3.7 should be changed as follows:	That the design and location of stormwater management facilities shall be determined at the Block Planning	stage. At such time, the following priorities for stormwater design shall be	addressed: a. minimizing the size of required	stormwater facilities through on-site	retention, infiltration, and evaporation	green roofs, rainwater harvesting and	porous paving materials;	b. developing minimum requirements for	mitigation of stormwater runoff volume increases; and,	13) No change is recommended.	14) No change is recommended.	15) No change is recommended.	16) No change is recommended.	17) No change is recommended.	18) No change is recommended.
Comment.	use is not warranted as setting development limits is a practice common to all development applications.	18) This is addressed through policy 2.5.8. (d) requires that "the required	minimum landscaped open space shall be directed to(d) areas adjacent to the Natural Heritage Network, where	applicable".	 The City agrees that consultation with TRCA is appropriate in determining 	the location and boundaries of each	Block Plan area and it is our current practice		20) Policy 2.3.3 requires the precise	fronties of mapped natural nertrage	appropriate study to the satisfaction of the City and the Toronto and Region	Conservation Authority, prior to any development approvals. This policy	does not need to be repeated in the Implementation section (Section 2.6).	21) The City concurs with the TRCA and	changes to the text of Policy 2.6.6 will be made to reflect the comments	23) The need for a subwaterched ctudy	is noted in the Implementation section of
lssue	the natural environment, TRCA wishes to comment on the submittal information noted in Policy 2.6.6, such as urban design guidelines and streetscape	master plans.	22) TRCA reiterates the comment made in response to Volume 1 of the Official Plan that an updated hydrologic study at	a watershed scale is required to update stormwater management criteria.													
tem Sübmission																	

Part B: Summary of Respondents' Requests/Concerns and Staff Comments and Recommendations West Vaughan Employment Area Secondary Plan Attachment 1

Section 10.1.1 of Volume 1 of the Official 1) Refer to recommendation Item 5B (4). boundaries of each Block Planning Area requirements identified in Chapter 10 of satisfaction of the City of Vaughan, and York Region, where appropriate, and in Plan, in accordance with the policies of the WVEA to implement the Secondary 19) Policy 2.6.1 should be changed as Plans shall be required for all areas of 21) Policy 2.6.6 is changed as follows: That the preparation of detailed Block consultation with landowners and the That prior to the final approval of any Subdivision, and in addition to any 2) No change is recommended to following shall be prepared to the 20) No change is recommended. Volume 1 of the Official Plan the 22) No change is recommended. Block Plan, Site Plan or Plan of shall be identified by the City in Plan. The precise location and consultation with the TRCA: follows: Volume 1 of the Official Plan in reference 2) A significant portion of the property at 1) Refer to comment Item 5B (4). to the "New Community Areas". 1) Object to Policy 2.5.7. Proposing landscape open space requirement of 20% of the lot area for lands in General Saue: Submission DATE: July 06, 2010 RESPONDENT: 1tem 216

Attachment 1

Recommendation:	the northeast corner of Rutherford Road and McGillvray Road includes the Regional Greenlands System to the west sequingly and south parts of the property. The and south parts of the property. The Core Features boundary, as shown on Schedule 2 and Schedule 13 of Volume 1 of the Official Plan, covers a smaller portion of the property than the Regional Greenlands System and is limited to the TRCA Regulated Area. Schedule 2 in the West Vaughan Employment Area Secondary Plan is consistent in the depiction of the Core Features with the appropriate Volume 1 schedules. The Core Features policies have been revised to allow for minor modifications based on appropriate environmental studies. Refer to comments for Item 41 (11)	1) Staff concurs that the GTA West Corridor environmental assessment should be included in Section 1.3. of the WVEA. WYEA. 2) Staff concurs that additional wording should be added to ensure the protection of long-term transit corridors and transportation right-of-ways should be included in the WVEA. The Ministry of Transportation is currently conducting an Individual Environmental Assessment (IEA) to Environmental Assessment Environmental Environmental Assessment Figure 1.3. of the WVEA.
Comment	mount of signated as of what is	edo
lssue.	Employment, designation is excessive. 2) Concern that substantive amount of land on our property being designated as "Natural Area", far excessive of what is believed to be reasonable.	Interest in protecting for transportation corridors. 1) GTA West Corridor should be added to the description of current initiatives in Section 1.3 of the WVEA Secondary Plan. 2) Include wording that supports long term protection for right-of-ways, and protection from development that could preclude long-term use of
tem Submission	A. DiMonte & Son Ltd. FOR: A. DiMonte & Son Ltd. LOCATION: Part east half of lot 16, Vaughan, Pt. 3 P164R3136	319 DATE: August 06, 2010 RESPONDENT: Ministry of Municipal Affairs and Housing

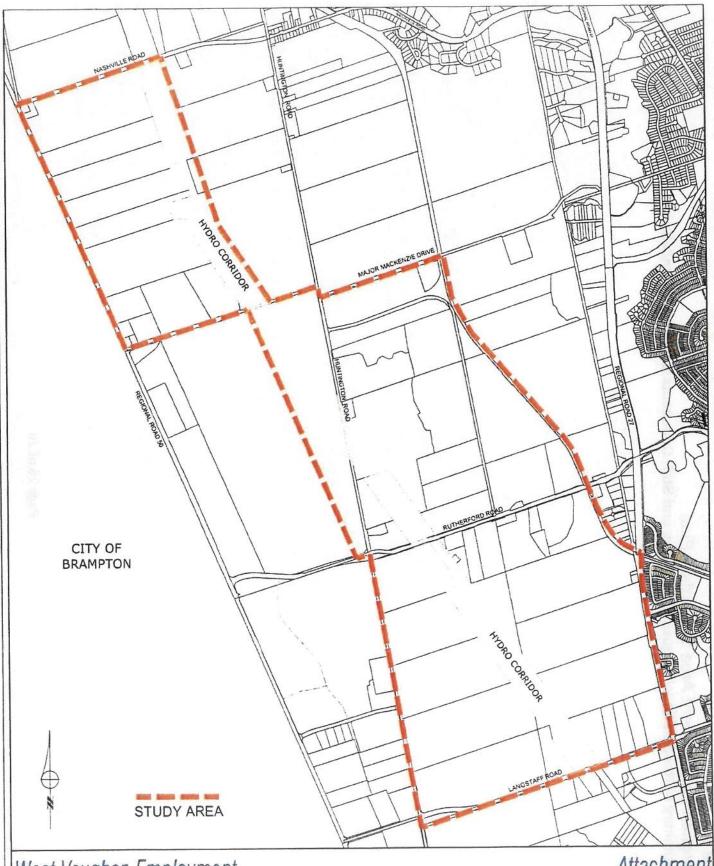
West Vaughan Employment Area Secondary Plan Part B: Summary of Respondents' Requests/Concerns and Staff Comments and Recommendations Attachment 1

Recommendation	infrastructure needs to 2031 within a study area that extends from Highway 400 to Guelph. The IEA will determine the measures needed to provide linkages to the Urban Growth Centres in the Provincial Growth Plan (Places to Grow), particularly between Downtown Guelph and the Vaughan Metropolitan Centre.	2) Revise policy [2.2.8.] to read as follows:	"To plan for and protect- in consultation with appropriate provincial agencies -for transportation corridors, rights-of-way for transportation and associated transit facilities to meet current and projected needs, including:	a) supporting the long term protection of the rail corridor and intermodal facility for goods movement, employment related uses, and future commuter rail opportunities including potential for future GO Transit stations.	b) to protect lands from development that could preclude or negatively affect the use of transportation corridors, rights-of-way and associated facilities for the purposes they are identified, or for which they are actively being planned."
Common a series					
Issue	[2.2.8.] pertaining to the protection of transportation corridors and direction regarding municipal actions with respect to land use planning as directed in Section 3.2.2. of the Growth Plan and proposed Regional Official Plan policy 7.2.52.				
Item Submission					

Attachment 1

West Vaughan Employment Area Secondary Plan Part B: Summary of Respondents' Requests/Concerns and Staff Comments and Recommendations

Page 26 of 26



APPLICANT(S): LUC
City of Vaughan Con

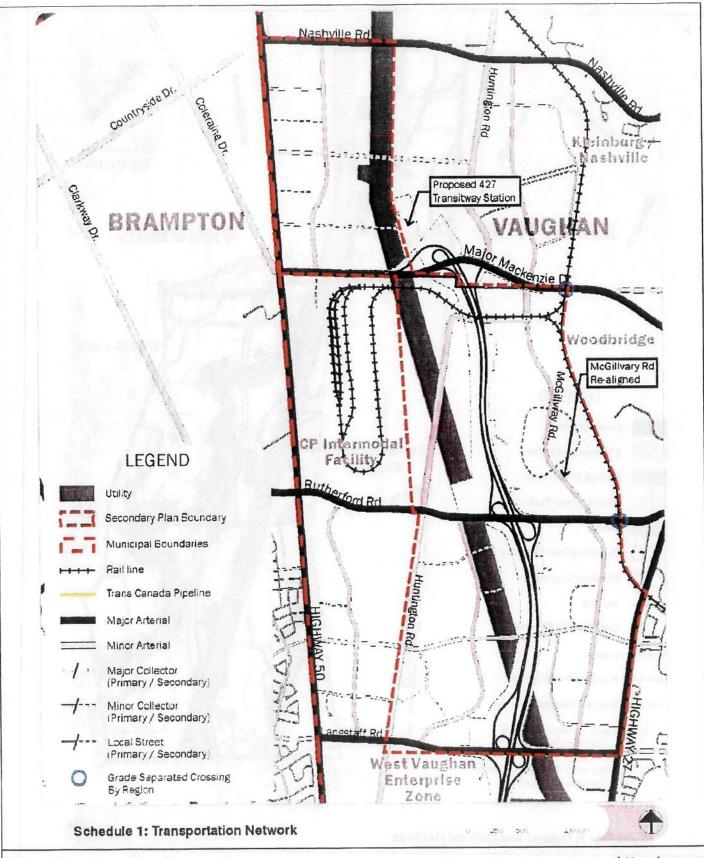
LOCATION: Part of Lots 10 - 26, Concessions 9 & 10 VAUGHAN

Policy Planning Department

Attachment

FILE: 25.5.19

DATE: August 31, 2010



APPLICANT(S): City of Vaughan

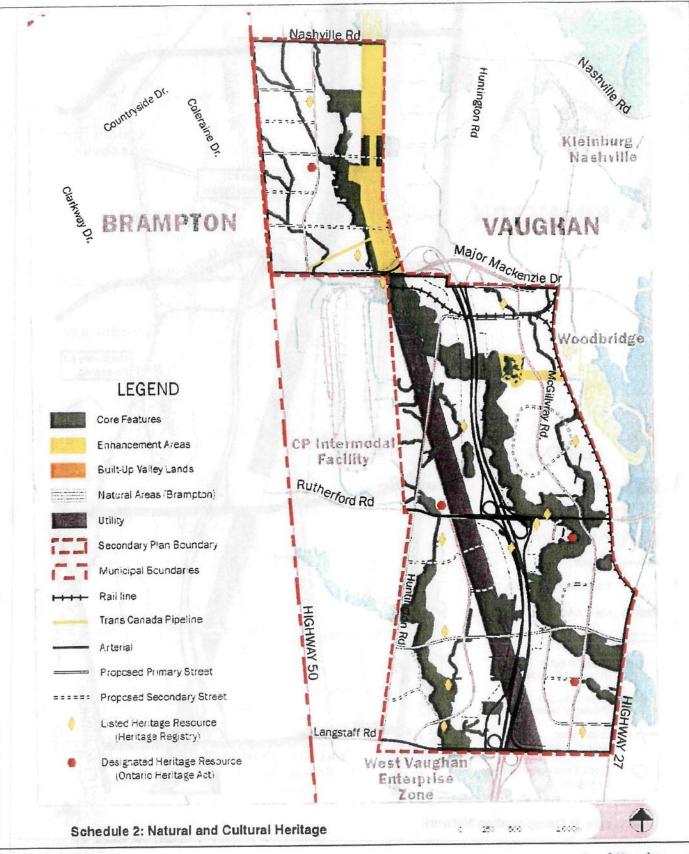
LOCATION: Part of Lots 10 - 26, Concessions 9 & 10 OFT 1 ATTACHMENTS\25 (25 to 19 des)



Policy Planning Department

Attachment FILE: 25 5.19

DATE. August 31, 2010



APPLICANT(S): City of Vaughan GFT) 1 AFTACHMENTS-25-25-25-57-24-3

LOCATION. Part of Lots 10 - 26 Concessions 9 & 10

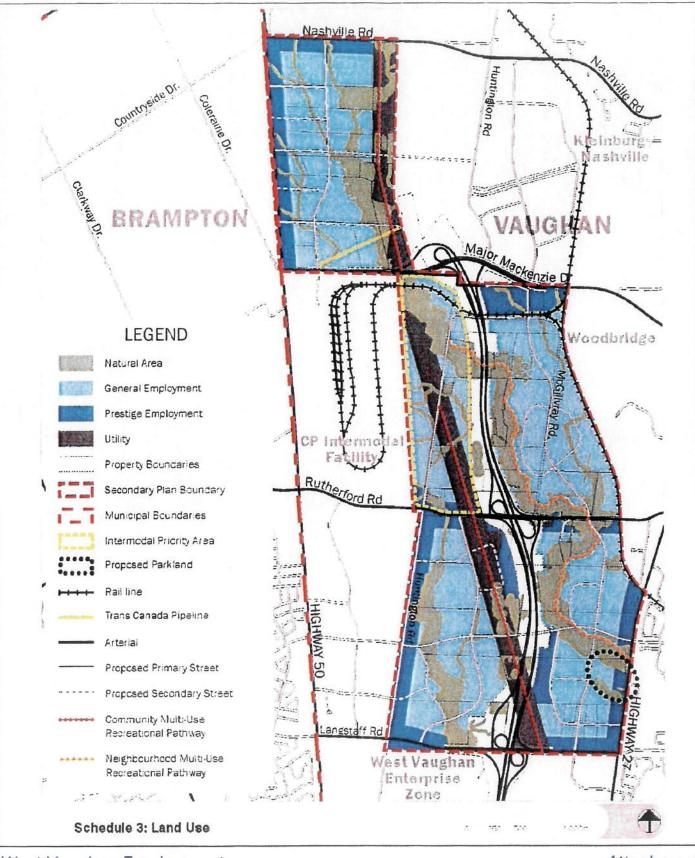
VAUGHAN

Policy Planning Department

Attachment

FILE: 25.5.19

August 31, 2010



APPLICANT(S): City of Vaughan

DFT: 1: ATTACHMENTS: 251 (5:5:19:00)

LOCATION: Part of Lots 10 - 26, Concessions 9 & 10



Policy Planning Department

Attachment

DATE: August 31, 2010





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

Attention:

Bryan Tuckey, Planning Commissioner

Dear Mr. Tuckey:

Re:

Request for Notice of Decision

City of Vaughan Official Plan - By law 235-2010

We are writing with respect to the adoption, by the City Vaughan, of the Vaughan Official Plan as adopted by By-law 235-2010, on September 7, 2010, which is subject to approval by the Regional Municipality of York. In this regard, we are writing to request notice of any decision of the Region in connection with the City of Vaughan Official Plan as adopted by By-law 235-2010

If you have any questions, please contact the undersigned.

Yours very truly,

Bousfields Inc.

Michael Bissett, MCIP, RPP



Labreche Patterson & Associates Inc.

Professional Planners, Development Consultants, Project Managers

D06.2010.V.01.049

October 26, 2010

Augustine Ko, MCIP, RPP Senior Planner Regional Municipality of York 17250 Yonge Street, 4th Floor Newmarket, Ontario L3Y 6Z1



Dear Mr. Ko:

Re: Requested to Receive Notice of Decision from the Region of York

City of Vaughan Official Plan 2010

Adopted by City of Vaughan Council By-law 235-2010

As detailed in the attached "Notice of Adoption" we received from the City of Vaughan and as the Regional Municipality of York is the approval authority for the above noted Official Plan, please accept this as our written request to be notified of the decision when it is to be considered and finally made by the Region of York on the new City of Vaughan Official Plan Amendment 2010.

We have previously provided written submission letters on these Official Plan Amendments and made two previous delegation presentations to Committee of the Whole at the City of Vaughan both on the proposed "City-wide" policies (volume 1) of the new Official Plan as well as on the noted Secondary Plans and area specific policies (volume 2) as noted in the attached notice. Please see our attached previous comment letters attached hereto for your considerations. In addition to our request to be sent a notice from the Region on its decision on this matter, we would request that you also send a copy of your notice to our solicitor as noted below.

Michael Polowin Gowlings LLP Suite 2600, 160 Elgin Street Ottawa, ON. K1P 1C3

We have also provided a copy of his previous correspondence to the City of Vaughan on this matter for your consideration. We would respectfully request that you consider our previous comments and that of Mr. Polowin and consider revising the final version of the new Official Plan to address our comments prior to the final approval of the new City of Vaughan Official Plan 2010. At your convenience, we would also be very pleased to speak or meet with you to further discuss our previous comments.

Thank you for your attention to this letter. Finally, we would ask if you could please send us an e-mail confirmation of receipt of this letter at your earliest opportunity at my e-mail noted below.

Yours truly,

Labreche Patterson & Associates Inc.

Victor Labreche, MCIP, RPP

Senior Principal

(E-mail: victor@lpplan.com)

VL/ Attach

Copy: Jeffrey A. Abrams, City Clerk

City of Vaughan

Michael Polowin

Gowling Lafleur Henderson LLP

Michelle Saunders, ORHMA



Labreche Patterson & Associates Inc.

Professional Planners, Development Consultants, Project Managers

May 17, 2010

(E-mailed: rose.magnifico@vaughan.ca)

City of Vaughan Clerks Department 2141 Major Mackenzie Drive Vaughan, ON L6A 1T1 Attention: Rose Magnifico, Assistant City Clerk

Dear Ms. Magnifico:

Re: Vaughan's Proposed New Official Plan – file number OP.25.1- May 17, 2010, Report # P.2010.23

We are responding to the City of Vaughan's notice relative to the statutory public meeting for the above noted subject matter to be held on May 17, 2010 at 6:00 p.m., Council Chambers. Please accept this as our written submission on this matter and we would ask that you please provide this to the Committee of the Whole in advance of their meeting tonight for their consideration.

Please be advised that we represent the member brands being A & W Food Services of Canada Inc., McDonald's Restaurants of Canada Ltd., the TDL Group Corp. (operators and licensors of Tim Hortons Restaurants), and Wendy's Restaurants of Canada Inc. as well as their industry group association being the Ontario Restaurant Hotel and Motel Association (ORHMA). We are providing this written submission to you on behalf of our clients after having reviewed the proposed new draft official plan for the City of Vaughan and wish to note the following.

As some background to this, we wish to note that the ORHMA is Canada's largest provincial hospitality industry association. Representing over 11,000 business establishments throughout Ontario, its members cover the full spectrum of food service and accommodation establishments and they work closely with its members in the quick service restaurant industry on matters related to drive-through review, regulations, and guidelines. Along with its members and the assistance of Labreche Patterson & Associates Inc., the ORHMA has a strong record of working collaboratively with municipalities throughout the province to develop mutually satisfactory regulations and guidelines that are fair and balanced in its approach and implementation for new drive-through facilities proposed within any given municipality. These planning based solutions are most often specific urban design guidelines for drive-through facilities and may include specific zoning by-law regulations that typically relate to minimum stacking/queuing requirements amongst other things.

We together with the ORHMA and the noted brands above had one previous meeting with senior staff of the Planning Department this past February following their report to the Committee of the Whole in January. A representative from the ORHMA and Tim Hortons also provided delegation comments to the Committee of the Whole at its January 25, 2010 meeting. The previous report titled "City of

Vaughan Improvement and Potential Regulation of Drive-Through Facilities" (File 15.109) recommended certain proposed official plan amendments, proposed zoning by-law amendments, and draft design guidelines for drive-through facilities. The actual proposed official plan amendments is what we are commenting on in this letter as the actual amendments are now detailed in the above noted subject report. We understand that further consultation and review time will pertain to the actual proposed zoning regulations and design guidelines and we will continue to consult with planning staff on those items.

Regarding the specific recommended Official Plan based policies proposed by planning staff in report P.2010.23, the ORHMA and the noted member brands have recently requested that we review the proposed new official plan for the City of Vaughan to determine if any proposed amendments would apply to its existing drive-through facility locations as well as areas of the City.

Zoning based regulations and specific urban design guidelines for drive-through facilities are common throughout Ontario. It is important to note for your consideration that the implementation of Official Plan based policies that specifically prohibit drive-through facilities in areas that would otherwise permit service retail commercial uses, large format retail uses, plazas and supermarkets, which are considered destination oriented uses and accompanying expansive surface parking lots is not a common or appropriate form of regulation applied to drive-through facilities in Ontario. In fact, the Ontario Municipal Board has recently noted in a case regarding the new official plan for the City of Ottawa that "the proper approach for controlling these is the one adopted by the City of Toronto, which prohibits these facilities through its zoning by-law and not in its Official Plan. Official Plans do not need to be prescriptive like zoning by-laws." This is an approach repeated in almost every case, both at the Ontario Municipal Board and in the Courts, relative to Official Plan prohibitions on specific uses.

Further, based on the above comments, it would be a contradiction to prohibit a drive-through use, which is not a destination use but rather it relies on existing large volumes of vehicles already traveling on busy roads (often termed pass-by traffic) for the vast majority of its customers in the same areas that large format retail, plazas, and supermarkets, etc. would otherwise be permitted by the draft Official Plan. These destination uses contribute the vast majority of traffic, all with large required parking lots, **not drive-through facilities**. We question what is the difference between these destination uses and their large parking lots compared to drive-through facilities to the point that drive-throughs are to be prohibited in all Intensification Areas being the "Vaughan Metropolitan Centre", the "Primary Centres", the "Primary Intensification Corridors" and "Local Centres" but there is very little, if any, restrictions placed on these other noted permitted destination uses in the same areas. In this regard, we ask "what is the problem with drive-throughs that can't be addressed by the zoning by-law and by urban design guidelines specific to the use." No specific justification is provided in staff's report explaining the rationale for the restrictions on drive-through development.

Referring again to the Ottawa Official Plan decision, the Board in that case decided that:

"The Board agrees that the policy as it exists gives no consideration to the possibility of minimizing any possible effect on the pedestrian environment through design for the unique characteristics of specific locations and that there are a number of ways to develop drive-through facilities on "Traditional Mainstreets", while protecting and enhancing the pedestrian environment. The evidence proffered by the appellant shows that drive-through facilities in appropriate circumstances, can be designed to have minimal effect on traffic and the pedestrian environment."

The result of that decision was language in the OP that while discouraging drive-through facilities on Traditional Mainstreets, still allowed for their establishment if the policies of the OP that pertained to those streets could otherwise be maintained. This solution has now been followed in London, Kingston, and more recently in the downtown core of Ottawa. In other

words, it may be appropriate to have additional specific policies for drive-through facilities for certain areas of a city but outright prohibition in areas where otherwise very similar uses are permitted are not justified. We are aware of other related case law on this matter and we will send you these case references under separate cover letter.

Based on the above-noted commentary, it is our submission that official plan prohibition policies for drive-through facilities are not appropriate or necessary at the level of an official plan. We believe that at the basis of these rulings is the fact that drive-throughs locate in existing areas of any City that are already designated for service, large format, and destination oriented retail commercial land uses all of which rely on vehicular and pedestrian access already coming to and accommodated in the area by associated parking lots. As such, the only unique feature of a drive-through in these pre-determined commercial areas is the drive-through stacking or queuing lane. The drive-through facility and stacking is a detail which can clearly be regulated through the zoning by-law and/or urban design guidelines and under the municipal powers of Site Plan Control. Therefore, prohibition based policies at the level of an official plan is not warranted.

We wish to note, contrary to many of the comments made in the previous staff report in January 2010. under the heading "Contributions to Sustainability" and also comments contained in the current report to be considered by Committee on May 17, 2010, drive-through facilities do contribute to sustainability goals of the "Green Directions Vaughan, the City's Sustainability and Environmental Masterplan" to a greater extent than the alternative which are parking lots. Based on our experience and related traffic and environmental impact studies of drive-through uses completed by others, the only other alternative to a drive-through for a restaurant use is larger parking lots to be able to accommodate the same number of vehicles coming to these restaurants that would otherwise be split between the parking lot service option or using the drive-through option. Larger parking lots are needed if the drive-through didn't exist which leads to more asphalt heating, larger storm water management facilities, larger buildings to accommodate more people internal to these buildings, and larger HVAC units for these larger buildings all equating to a larger demand on the energy/hydro grid system. Further, based on related traffic studies and again in the City of Ottawa, the Ottawa Zoning By-law provides for a 20% reduction in the required number of parking spaces that applies to a restaurant when a drive-through service option is available with the restaurant. We are also aware that the City of Winnipeg provides for up to a 50% reduction in the same situation.

Furthermore, drive-throughs continue to be an ancillary use to the restaurant. In other words, the restaurant must be present in order for a drive-through to exist. Adding a drive-through is complementary to the restaurant use by lowering in-store demand which in turn helps in-store service and overall operating efficiencies of the restaurant.

In addition, and as previously supplied to planning staff, a study was completed by RWDI Environmental Inc. on behalf of The TDL Group which compares the related emissions generated by vehicles that use the parking lot with those that use the combined drive-through service lane/parking lot during peak times in the morning rush hours. It was found that vehicles choosing the combined drive-through/parking lot services within the study period did not create more overall emissions than vehicles that would use the parking lot and often the overall emissions were less for vehicles using the combined drive-through/parking option. As a result of start up emissions, the parked car scenario creates somewhat higher overall emissions than if that car was to otherwise use the drive-through for service. It is important to note that the RWDI study has been peer reviewed and accepted by Dr. Deniz Karman, PHD, P.Eng, Professor of Environmental Engineering, Carlton University.

Further, we also wish to note that of the existing 38 locations of the above noted brands, 23 are currently located within the identified "Intensification Areas" that propose to not permit a drive-through as a permitted use per the current draft of the new Official Plan. We object to these designations and we would object to these locations becoming Legal Non-conforming within in any future zoning by-law

amendment pertaining to theses existing locations as a result of any future approval of an implementing Zoning By-law for these locations. It is important to note that the vast majority of these existing locations are located on designated "Arterial Streets" which are identified as carrying large volumes of traffic. Arterial Streets are one street network category below "Provincial Highways" in the draft Official Plan.

In addition to our above noted concerns and objections to various comments and recommendations for the proposed new Official Plan, we wish to note the following specific objections to certain proposed policies of the Official Plan:

Policy 5.2.3 – "Supporting and Transforming the Retail Sector" – last paragraph of this policy: Firstly we object to the first sentence in this paragraph that states "The issue of drive-through retail uses has undergone considerable study in Vaughan". We are not aware of any specific study that the city has done relative to drive-through uses, and if there is one completed in Vaughan, we request that it be provided to us as soon as possible. We are aware of previous city staff reports related to drive-throughs, namely a report presented to the Committee of the Whole on January 25, 2010 – File 15.109. This report contains only personal opinion and anecdotal statements about drive-throughs that are not substantiated by any appropriate level of study to justify the comments contained in that previous report. Also, there is a chart contained in that report titled "Table 1: Drive-through Policies of Other Cities in the Greater Toronto Area and Beyond". We previously noted to city staff that this table/chart comparison contains many errors and therefore, cannot be relied on. In addition, to simply compare what other cities may have in place for drive-through regulations does not constitute a study.

Policy 5.2.3.7: We request that the second sentence in this policy referencing the prohibition of drive-through facilities in Intensification Areas and Heritage Districts be deleted. In lieu of a specific noted prohibition in the Intensification Area and Heritage Districts and in keeping with the above noted OMB decision in Ottawa, specific "performance standard" type policies should be considered to achieve certain urban design objectives pertaining to specific required built form policies. The policy framework for drive-throughs should be similar to policies that apply to surface parking lots in "Intensification Areas" and "Heritage Areas" as noted in policy 9.1.2.5 (f) "ensuring any surface parking areas are buffered and screened from all property lines through the use of setbacks and landscaping."

We understand that five focused area secondary plans are proposed to go forward to a Public Hearing on June 14, 2010. We would like to note that this process should be delayed if they contain similar policies with respect to drive-through facilities to that of the overall Official Plan so that the related items are considered comprehensively.

Based on the foregoing, we request an opportunity to meet with the appropriate planning staff at their earliest opportunity to discuss our objections to the current draft of the official plan and its specific prohibition of drive-through facilities. We thank the city for its consideration to our comments and look forward to working with city staff over the coming weeks to mutually resolve concerns.

Yours truly,

Labreche Patterson & Associates Inc.

Victor Labreche, MCIP, RPP

Senior Principal

VL/sl

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Labreche Patterson & Associates Inc.

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June 14, 2010

(E-mailed: rose.magnifico@vaughan.ca)

City of Vaughan
Clerks Department
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1
Attention: Rose Magnifico, Assistant City Clerk

Dear Ms. Magnifico:

Re: North Kleinburg-Nashville Secondary Plan File # KN – 25.5.12.3

Woodbridge Centre Secondary Plan File # WBC - 25.5.12.2

Vaughan Metropolitan Centre Secondary Plan File # VMC - 25.2.12.1

Yonge Steeles Corridor Secondary Plan File # YS - 25.5.12.4

Official Plan Review - Volume 2 Plans Subject to Existing Secondary Plans Policies and

Site and Area Specific Policies File # 25.1.1 (b)

We are responding to the City of Vaughan's notice relative to the statutory public meeting for the above noted subject matter to be held on June 14, 2010 at 6:00 p.m., Council Chambers. Please accept this as our written submission on this matter and we would ask that you please provide this to the Committee of the Whole in advance of their meeting tonight for their consideration. As you will recall we previously attended the public meeting of Council on May 17, 2010 to provide our written and verbal comments to you on the proposed new City of Vaughan Official Plan – File # OP – 25.1.

Please be advised that we represent the member brands being A & W Food Services of Canada Inc., McDonald's Restaurants of Canada Ltd., the TDL Group Corp. (operators and licensors of Tim Hortons Restaurants), and Wendy's Restaurants of Canada Inc. as well as their industry group association being the Ontario Restaurant Hotel and Motel Association (ORHMA). We are providing this written submission to you on behalf of our clients after having reviewed the above noted secondary plans and the proposed amendments as part of Volume 2 of the new broad Official Plan the City of Vaughan and wish to note the following.

As we previously noted within our correspondence to the City on May 17, 2010 on the proposed overall new Official Plan for the City of Vaughan, we specifically objected to the prohibition of drivethrough facilities within the following designations being: "Vaughan Metropolitan Centre", "Primary Centres", "Primary Intensification Corridors", and "Local Centres". In addition to the specific prohibition of drive-through facilities within these designations of the new Official Plan and based on our review of the four new above noted secondary plans that are the subject of the public meeting this evening, we note that the Yonge Street Corridor Secondary Plan and the Vaughan Metropolitan Centre Secondary Plan are located in the same areas that are either in the Vaughan Metropolitan Centre designation and the Primary Intensification Corridor designation of the new Official Plan which also proposes to prohibit drive-through facilities in those areas. Further, the Kleinburg-Nashville Secondary Plan and the Woodbridge Secondary Plan propose to add new prohibition areas for drive-

throughs based on our review. Below are the specific details/objection to related policies prohibiting drive-through facilities in four of the five new Secondary Plan being discussed at the public meeting tonight.

Secondary Plan	DT Prohibition
Kleinburg Nashville Secondary Plan	 Kleinburg-Nashville Low-Rise Mixed Use I and Kleinburg-Nashville Low-Rise Mixed Use II reference Section 9.2.2.2 of Volume 1 of the OP which then references Section 5.2.3 of Volume 1 of the OP which states that DTs are prohibited in Intensification Corridors and Heritage Conservation Districts in addition to other design objectives DTs prohibited in the Kleinburg-Nashville Heritage Conservation District
Woodbridge Secondary Plan	 Woodbridge Low-Rise Mixed Use references Section 9.2.2.2 of Volume 1 of the OP and Woodbridge Mid-Rise Mixed Use references Section 9.2.2.4 of Volume 1 of the OP where both reference Section 5.2.3 of Volume 1 of the OP which states that DTs are prohibited in Intensification Corridors and Heritage Conservation Districts in addition to other design objectives Commercial Mixed Use 1 does not identify DTs as a permitted or prohibited use DTs prohibited in the Woodbridge Heritage Conservation District
Yonge Street Corridor	 High-Rise Mixed Use references Section 9.2.2.6 of Volume 1 of the OP and Mid-Rise Mixed Use references 9.2.2.4 of Volume 1 of the OP where both reference Section 5.2.3 of Volume 1 of the OP which states that DTs are prohibited in Intensification Corridors and Heritage Conservation Distrcts in addition to other design objectives DTs prohibited in the Thornhill Heritage Conservation District
Vaughan Metropolitan Centre	 VMC Secondary Plan Policy 8.1.3 – "Single-storey commercial uses and drive-through establishments shall not be permitted in the VMC." Therefore, DTs prohibited in the entire secondary plan area

As we previously detailed in our letter dated May 17, 2010 on the new city wide Official Plan, substantial consideration has been given to the basis for specific prohibition of drive-through both at the Ontario Municipal Board (OMB) and within the Courts in Ontario on this matter. In this regard, we have attached a memorandum prepared by Gowlings LLP of its research based on related case law both at the OMB and within the Courts on this subject. As is evident in the review of the related case law on this matter, the approach repeated in almost every case both at the OMB and within the Courts on proposed official plan prohibitions for drive-through facilities is that it need not be prohibited at the level of the official plan.

In our opinion, at the basis of the OMB and Court's consideration on this matter, is the fact that in most instances prohibition of drive-through areas would still permit most other forms of retail/commercial land uses including restaurants altogether with their required and <u>permitted</u> surface parking lots. Further, what is suggested in many of these decisions is the fact that specific performance/design policies may be warranted for drive-through facilities in certain areas of a municipality which we would generally concur with, and in some cases limited prohibition areas noted at the level of the zoning bylaw pertaining to drive-through facilities permissions but again not at the level of the Official Plan.

We note with interest that the staff reports prepared for each of the above noted secondary plans as well as the staff report for the Official Plan Review - Volume 2 referred to the "contribution to sustainability" as one of the primary factors for many of the recommendations contained within the related staff recommendation reports. We wish to note, based on the related case law on this matter, there is nothing to suggest that drive-through facilities as a specific land use, do not contribute "sustainability" goals of any municipality or that it would be in conflict with the Provincial Policy Statement (PPS) or Growth Plan for the Greater Golden Horseshoe. Conversely, based on studies and evidence provided to the OMB particularly in the Ottawa case, drive-through facilities lead to a more compact form of development for restaurant facilities as smaller parking lot areas and buildings result when drive-through facilities are present as they represent a more efficient form of service for the customer that would otherwise have to rely and require larger surface parking lots and buildings if the drive-through facility was not present. Recently the City of Ottawa provided for a 20 percent reduction in surface parking areas when a drive-through a facility is present together with a sit down service restaurant. We are aware that the City of Winnipeg provides up to a 50 percent reduction in the same scenario. Specifically, drive-through facilities support many of the policies in the PPS particularly policies 1.1 "Managing and Directing Land Uses to Achieve Efficient Development and Land Use Patterns".

Finally, while we recognize that within the related staff report P.2010.27 on the Official Plan Review – Volume 2; it is noted that there are four secondary plans that have been previously approved as follows: Carrville Centre Secondary Plan, Steeles West Secondary Plan, Highway 400 Employment Lands, and Kipling Avenue Secondary Plan. We would object to any amendments to these existing secondary plans that would further prohibit drive-through facilities in these existing secondary plan areas. In conclusion, and again based on our previous correspondence of May 17, 2010 related to the broad new Official Plan for the City and further as noted above, we object to any new and further prohibition of drive-through facilities at the level of the Official Plan. We will contact Planning staff in the next couple of weeks to specifically meet discuss our requested approach to this matter to develop performance based policies within the broad Official Plan and related secondary plans on drive-through facilities together with identifying any particular areas for restrictions at the level of the zoning by-law as a more appropriate approach than specific Official Plan prohibitions for drive-through facilities. Thank you for your consideration to our comments and we look forward to working with staff and the City further in the coming weeks on our concerns.

Yours truly.

Labreche Patterson & Associates Inc.

Victor Labreche, MCIP, RPP

Senior Principal

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Darrell Daley Summer Student darrell.daley@gowlings.com

Memorandum

To: Michael Polowin

Date: June 12, 2008 (updated to February 22, 2010 by Elad Gafni)

Re: Prohibition on Specific Uses in Official Plans

File Number: 01368989

INTRODUCTION

You asked me to research information relating to the existing jurisprudence, particularly in Ontario, relating to attempts to prohibit specific uses of land at the level of an official plan.

2. **SHORT ANSWER**

Having canvassed a wide range of sources, my research leads me to the following conclusions. The notion that official plans should remain broad and flexible is rife throughout the jurisprudence. The majority of courts and tribunals endorse the view that official plans should be broad policy statements that rise above the level of detailed regulation. Further, the prohibition of specific uses within municipalities, such as drive-throughs, adult entertainment and pinball machines have overwhelmingly been achieved through mechanisms other than the official plan, such as zoning by-laws.

Despite this being the overall consensus in the current jurisprudence, the law as it currently stands, does not appear to preclude municipalities from prohibiting specific uses in their official plans. In fact I was able to locate an Ontario Municipal Board (the "Board") decision where the City of Peterborough chose to regulate adult entertainment parlours using their official plan. However, since that 1989 decision I have been unable to find any other decisions where official plans have been used in a similar capacity, and as demonstrated in some of the more recent decisions that follow, that decision is an exception rather than the norm.

Kanata Toronto Hamilton Waterloo Region Calgary Vancouver Moscow

3. SUMMARY OF RELEVANT JURISPRUDENCE

3.1 Contents of an Official Plan – See Tab 1

(a) Goldlist Properties Inc v. Toronto $(City)^1$: In this case the city of Toronto adopted an official plan amendment to enact policies relating to the preservation and replenishment of rental housing, in part by restricting "the demolition of rental property and the conversion of rental units to condominiums." While defining the scope of official plan contents the court at paragraph 14 explained that the *Planning Act*², apart from sections 16(1)(a) and 16(2)(b), does not contain any other specific provisions limiting the contents of what can be included in the official plan. The court, at paragraph 49, dealt with the issue of what could be included:

Section 16(1)(a) is cast in terms of the minimum requirements for an official plan, not the outside limits. It does not list heads of power or the subjects that may be addressed by the official plan. There are unquestionably limits to what a municipality may include within its official plan, but the wording and scope of s. 16(1)(a) indicate that those limits cannot be determined solely by a literal application of its terms. To determine what may be included in an official plan, as distinct from what must be included by virtue of s. 16(1)(a), reference must be had to the *Planning Act* as a whole. In this regard, it is important to bear in mind that the purpose of an official plan is to set out a framework of "goals, objectives and policies" to shape and discipline specific operative planning decisions. *An official plan rises above the level of detailed regulation* and establishes the broad principles that are to govern the municipality's land use planning generally.³

Ultimately, the court held that the municipality had authority to limit/control the conversion or demolition of rental housing. This decision was based on the overall purpose of the *Planning Act* taken together with a specific legislative directive, the Provincial Policy Statement (1997), indicating that the municipality should provide for a full range of housing. The court stated that they were fortified in their decision by recent jurisprudence supporting the idea that decision-makers should avoid narrow and technical readings of municipal power.

Paragraph 49 of the Goldlist decision, referred to above, is cited in the recent case of Toronto (City) v. R & G Realty Management Inc. for the proposition that "an Official Plan does not have the force of a statute"; rather, an Official Plan "is a 'recommendation, or statement of intention only, which may or may not be implemented by the municipality by the enactment of appropriate zoning by-laws". In further support of the proposition that an Official Plan does not have the force of a statute, the Court in R & G Realty Management cites the decision in Woodglen & Co. Ltd. v. City of North York et al., where it was held that "an official plan and amendments thereto are not effective in themselves to regulate land use" and that "an official plan is a recommendation, or statement of intention only, which may or may not be implemented by the

¹ [2003] O.J. No. 3931, D.L.R. (4th) 298, CanLII 50084 (Ont. C.A.) [Goldlist cited to CanLII].

² R.S.O. 1990, c. P.13.

³ Supra note 1, at para. 49. [emphasis added].

⁴ Ibid. at para. 55.

⁵ Ibid. at para. 57.

⁶ Toronto (City) v. R & G Realty Management Inc., [2009] O.J. No. 3358 at para. 25 (Ont. Sup. Ct. J.).

municipality by the enactment of appropriate zoning by-laws". Neither case, however, deals with the issue of what may or may not be properly included in an Official Plan.

- (b) Frontenac-Lennox & Addington (County) Roman Catholic Separate School Board v. Kingston (City)⁸: In this case there was an inconsistency between the city's new comprehensive official plan and a zoning by-law. While the zoning by-law permitted schools in industrial zones, the official plan prohibited it. As the Board commented at paragraph 5, "[t]he hitch is that the official plan forbids a school. However, the plan is a statement of objectives and policy, designed to guide the City's land use decision-makers. Normally, land use rights depend on the zoning, not the official plan." In a separate decision discussing the same issues arising from the same fact situation, the court determined that the official plan did not in fact prohibit schools in industrial zones, but rather stood for the proposition that they could be prohibited.
- (c) Steven Polon Ltd. v. Metropolitan Toronto (Municipality) Licensing Commission¹¹: In this case the Court considered an appeal from the decision of the Metropolitan Licensing Commission refusing to issue to the applicant a salvage yard licence for land situate in the Township of Scarborough. In refusing to issue the licence to the applicant, the Commission based its decision on the Township's Official Plan, which designated the land at issue as agricultural and therefore did not permit the use of the land as a salvage yard or scrap yard, despite the fact that the Official Plan had not yet been implemented by a zoning by-law. The Court held that where an Official Plan has been enacted by a municipality, but no zoning by-law has yet implemented the plan, the official plan is simply a statement of intention and is not an effective instrument to restrict land use:

As a result of a perusal of ss. 10 to 20 of the *Planning Act*, R.S.O. 1960, c. 296, I am of the opinion that the Official Plan adopted by the respondent municipality is little more than a statement of intention of what, at the moment, the municipality plans to do in the future. Provisions for the amendment of an official plan make it clear that the municipality is not bound to carry out that intention and may from time to time as circumstances develop make such changes as appear desirable. The Official Plan is not therefore an effective instrument restricting land use. 12

3.2 Policy Versus Regulation - See Tab 2

(a) Re Whitchurch-Stouffville (Town) Interim Official Plan¹³: Here, the town's official plan had provisions requiring both a 200 ft. set-back and a minimum 500 ft. lot frontage along a highway. The Board held that the sections of the official plan were regulatory in nature rather than a policy statement and ruled that such matters should be confined to by-laws: "The board is

⁷ Woodglen & Co. Ltd. v. City of North York et al. (1984), 47 O.R. (2d) 614 at 617 (Div. Ct.).

⁸ Frontenac-Lennox & Addington (County) Roman Catholic Separate School Board v. Kingston (City) (1994), 25 M.P.L.R. (2d) 110 at para. 5 (O.M.B.).

⁹ Ibid.

Frontenac-Lennox & Addington (County) Roman Catholic Separate School Board v. Kingston (City) (1994), 25 M.L.P.R. (2d) 102 (Ont. C.J.).

¹¹ Steven Polon Ltd. v. Metropolitan Toronto (Municipality) Licensing Commission, [1961] O.R. 810, 29 D.L.R. (2d) 620, CarswellOnt 147 (Ont. H.C.).

¹² Ibid. at para. 8.

^{13 (1983), 16} O.M.B.R. 280, CarswellOnt 1914 (O.M.B.) [Whitchurch cited to CarswellOnt].

disturbed that the mention of measurements relative to set-backs is really a regulatory process having no place in the official plan"; and later, "[o]nce again this is regulatory rather than a policy statement and should be confined to the by-law. The board agrees with the concept but not the regulatory approach used."¹⁴

(b) Re Brampton Planning Area Official Plan Amendment 75¹⁵: The City of Brampton proposed to remove provisions from their official plan regarding detailed traffic control. Here the Board agreed with the city planner who expressed the opinion that "traffic regulatory provisions and particularly in such detail, have no place in an official plan and that they also encumber council's jurisdiction under the Municipal Act to properly exercise their authority."¹⁶

3.3 Broad & Flexible Approach - See Tab 3

- (a) Re Bradford & West Gwillimbury Planning Area Official Plan Amendments 13, 13A & 13B¹⁷: Here, the town proposed several amendments to their official plan. The Board agreed with the opinion of planner Donald Given, in that there should be flexibility in an official plan to eliminate the necessity of amendments.¹⁸
- (b) Cadillac Development Corp. v. Toronto (City)¹⁹: Here, the court recognised the necessity in having a flexible official plan to avoid the need to amend official plans. As stated by Henry, J. "a council that wishes to permit development that conflicts with the policy of the plan is restrained and must first have recourse to the cumbersome machinery for amending the plan and the meticulous scrutiny it entails."
- (c) Halmir Investments Ltd. v. City of North York²¹: This decision is illustrative of the problems faced by municipalities when official plans stray beyond policy. Here the applicant was seeking a specific text change in the district plan to permit the development of an apartment building as the plan only permitted a maximum density of 40 units to the acre. While the Board ultimately accepted the specific amendment to the official plan, to allow the requested 51 units per acre, the Board voiced its distaste for site specific amendments to official plans. As the Board stated, "this official plan could achieve the same result for the site in question by a more general statement of policy [...] This plan does not contain what several others do have incorporated within them, namely that the plan is not intended as an instrument to restrict the use of land in the manner of a zoning by-law."²²

The notion that official plans should remain flexible is rife throughout the jurisprudence dealing with the issue. That said, it is not uncommon for the Ontario Municipal Board to approve amendments that appear restrictive.

¹⁴ Ihid

^{15 (1982), 14} O.M.B.R. 482, CarswellOnt 1966 (O.M.B.) [Brampton cited to Carswell Ont].

¹⁶ Ibid. at para. 5.

 ^{(1979), 10} O.M.B.R. 257, CarswellOnt 1669 (O.M.B.) [Bradford cited to CarswellOnt].
 Ibid. at para. 45.

¹⁹ (1973) 1 O.R. (2d) 20, 39 D.L.R. (3d) 188, CarswellOnt 271 (Ont. S.C.) [Cadillac cited to CarswellOnt]. ²⁰ Ibid. at para. 25.

^{21 (1980) 10} M.P.L.R. 241 (O.M.B.).

²² Ibid. at 246.

(d) Elia Corp. v. Mississauga (City)²³: Here, the city contended that the amendments to the official plan should reflect all of the elements contained in the zoning by-law, including the numerical standards, in order to ensure there would be no potential misunderstanding in the future. Despite the appellant's argument that flexibility should be maintained in an official plan which by definition is a broad policy document, the Board nonetheless proceeded to accept the city's position and approve the amendments with all the elements contained in the proposed zoning by-law.

The approach taken in *Elia* seems counter to the direction provided by the Supreme Court of Canada in *Subilomar Properties v. Cloverdale*.²⁴ In *Subilomar*, the court stated "[t]he purpose of an official plan has been said on many occasions to be an outline of a scheme or proposal for controlling the use of lands within the municipality."²⁵ The court then went on to site *Campbell v. Regina (City)*,²⁶ where Johnson J. adopted the position taken by the city that, "the scheme is merely a general statement of future intentions. It contends that the scheme does not and is not intended to impose a straight jacket on future development."²⁷

(e) Bele Himmell Investments Ltd. v. City of Mississauga et al.²⁸: At issue in Bele was whether the Board erred in law or jurisdiction in deciding that a zoning by-law conformed to the official plan of the municipality. This case is often cited as providing direction on how official plans should be interpreted. At paragraph 22 the court explained that:

Official Plans are not statutes and should not be construed as such [...] Official Plans set out the present policy of the community concerning its future physical, social and economic development [...] It is the function of the Board in the course of considering whether to approve a by-law to make sure that is conforms with the Official Plan. In doing so, the Board should give to the Official Plan a broad liberal interpretation with a view to furthering its policy objectives.²⁹

3.4 Adult Entertainment Prohibited in Official Plan - See Tab 4

Having canvassed a wide range of sources, municipalities often regulate adult entertainment parlours through by-laws. That said, I have been able to locate an Ontario Municipal Board decision where the City of Peterborough chose to regulate adult entertainment parlours using their official plan. In Re Peterborough (City) Official Plan Amendment 56³⁰ the city approached a planning consultant who was already involved in a comprehensive official plan review and asked the planner to develop criteria for the regulation of adult entertainment parlours in Peterborough. Ultimately the policy was adopted in the official plan which provides very limited locations for adult entertainment parlours in the city.³¹ The amendment also provided for site-

²³ 2005 WL 2596774, CarswellOnt 6205 (O.M.B.) [Elia cited to CarswellOnt].

²⁴ [1973] S.C.R. 596 [Subilomar].

²⁵ *Ibid.* at 606.

²⁶ (1966), 58 D.L.R. (2d) 259 (Sask. Q.B.).

²⁷ *Ibid*, at 263.

²⁸ (1982), 13 O.M.B.R. 17, CarswellOnt 1946 (Ont. Div. Ct.) [Bele cited to CarswellOnt].

²⁹ *Ibid*, at para, 22.

³⁰ 23 O.M.B.R. 57, 1989 CarswellOnt 3512 (O.M.B.) [Peterborough cited to CarswellOnt].

³¹ *Ibid.* at para. 7.

specific amendments to the zoning by-law to review any development proposal of an adult entertainment parlour in the municipality.

3.5 Regulation of Drive-Throughs – See Tab 5

(a) TDL Group Ltd. v. City of Ottawa³²: At issue in this decision was the 2003 City of Ottawa official plans, which prohibited the establishment of new drive-through facilities in certain areas. TDL opposed the prohibition on the ground that there was no planning justification for the city adopting such a prohibition. The city, on the other hand, justified the prohibition as a means of protecting and enhancing the pedestrian environment in the given areas. In coming to their decision the Board took note of a decision rendered by the Board in 2004, commonly referred to as the "Toronto Drive-Through" case.³³ Further, the Board was accepting of the evidence that "urban drive-throughs" can be designed to suit the unique characteristics of specific locations, and took note of the City of Ottawa's Urban Design Guidelines for Drive-Throughs released in May of 2006. Ultimately, the Board ruled that there was no proper basis to support the prohibition, and that such matters should be dealt with in zoning by-laws. The Board's position was summarized as follows:

The Board agrees that the policy as it exists gives no consideration to the possible effect on the pedestrian environment through design for the unique characteristics of specific locations and that there are a number of ways to develop drive-through facilities on "Traditional Mainstreets", while protecting and enhancing the pedestrian environment. The evidence proffered by the appellant shows that "drive-through facilities" in appropriate circumstances, can be designed to have minimal impact on traffic and the pedestrian environment. [...] The proper approach for controlling [drive-through facilities] is the one adopted by the City of Toronto, which prohibits these facilities through its zoning by-law and not in its official plan. Official plans to not need to be prescriptive like zoning by-laws.³⁴

This case is consistent with the view expressed in *Goldlist* that official plans rise above the level of detailed regulation. Apart from this decision, and the decision mentioned therein, there does not appear to exist any other cases dealing with the prohibition of drive-throughs in Ontario.

34 *Ibid.* at 19.

³² Decision/Order No. 2649, issued September 21, 2006 (O.M.B).

³³ TDL Group Ltc. v. City of Toronto, Decision/Order No. 0154, issued January 23, 2004 (O.M.B).



Labreche Patterson & Associates Inc.

Professional Planners, Development Consultants, Project Managers

July 8, 2010

(Via e-mail <u>diana.birchall@vaughan.ca</u> and courier)

Ms. Diana Birchall
Director of Policy Planning
City of Vaughan
Planning Department
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Dear Ms. Birchall:

Re: City of Vaughan's proposed new Official Plan Volume 1 and Volume 2 proposed new and existing Secondary Plan Policies and site and area specific policies

We are providing this letter to you in addition to our previously written correspondence regarding our concerns and objections to current proposed Official Plan policy as currently drafted within the Volume 1 and Volume 2 parts of the proposed new Official Plan for the City of Vaughan. Our previous letters to the City on this subject are dated May 17, 2010 and June 14, 2010. This letter is further with regards to matters discussed at our recent meeting of June 24, 2010 wherein we reiterated our concerns mainly with the many proposed prohibition of drive-through facility policies that are proposed within several areas of the new Official Plan both Volume 1 and 2. As we specifically discussed and in reference to previously provided related OMB and case law decisions on this matter, it is our submission as supported by the case file material that drive-through facilities are not to be prohibited at the level of the official plan.

As you will recall, as discussed at our meeting with you on June 24, 2010, you agreed to consider various examples of policies that have been placed within other recently completed new official plans for various municipalities in Ontario that we referred to in our discussion. These example policies provide various options for specific drive-through restrictions as it relates to an identified area of a municipality but not a prohibition. We had referred to these policies as area specific "performance standards" that have been placed in various official plans throughout Ontario in specific areas of a given municipality. We note that, while these policies may discourage the development of a drive-through facility in an identified area of a given municipality, they require specific performance type policies and requirements that a new drive-through facility would have to meet to ensure that the overall intent of the official plan is maintained. In some cases this may be coupled with the requirement of a site-specific zone change to support the drive-through facility in a particular identified area.

Enclosed herein please find an OMB decision relative to consideration of drive-through restrictions, related policies for the City of Ottawa as well as recent approved specific official plan policies for drive-through facilities within the official plans of the City of London, City of Kingston and the City of Mississauga. We have highlighted the relevant parts of the enclosed material for your ease of reference.

We would respectfully request that you please give serious consideration to this approach on restricting drive-through facilities within the City of Vaughan similar to the approach taken in other municipalities and also either directed or supported by the OMB or the courts. We would appreciate this consideration prior to finalizing the planning staff report currently scheduled to go to Committee of the Whole on July 28, 2010.

In the mean time if you have any questions or need further information on this matter please do not hesitate to contact our office.

Yours truly,

Labreche Patterson & Associates Inc.

Victor Labreche, MCIP, RPP

Senior Principal

VL/sl Attach.

Copy: John Zipay (via e-mail: john.zipay@vaughan.ca)

Commissioner of Planning, City of Vaughan

Mauro Peverini (via e-mail: mauro.peverini@vaughan.ca)

Acting Manager of Policy Planning

Ted Radlak (via e-mail: ted.radlak@vaughan.ca)

Urban Designer

Janice Atwood-Petkovski (via e-mail: janice.atwood-petkovski@vaughan.ca)

Commissioner of Legal and Administrative Services and

City Solicitor

Michael Polowin (via e-mail: michael.polowin@gowlings.com)

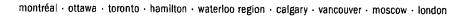
Gowling Lafleur Henderson LLP

Tony Elenis (via e-mail: telenis@orhma.com)

President and CEO - Ontario Restaurant Hotel and Motel Association

Michelle Saunders (via e-mail: msaunders@orhma.com)

ORHMA





July 26, 2010

VIA E-MAIL

Michael S. Polowin
Direct 613-786-0158
Direct Fax 613-788-3485
michael.polowin@gowlings.com

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

Attention: Mayor Linda D. Jackson

Dear Mayor Jackson:

Re: City of Vaughan Proposed New Official Plan Volumes 1 and 2, and existing Secondary Plan policies and Site and Area Specific Policies

We are the solicitors for A&W Food Services of Canada Inc., McDonald's Restaurants of Canada Limited, the TDL Group Corp. (operators and licensors of Tim Horton Restaurants) and Wendy's Restaurants of Canada, as well as their industry association, Ontario Restaurant Hotel & Motel Association (ORHMA). We write to you today in advance of the Committee of the Whole Public Meeting on this subject, to be held on July 28, 2010.

As outlined in letters to Vaughan staff from the planning firm of Labreche Patterson, dated May 17, 2010, June 14, 2010, and July 8, 2010, our clients have concerns about the new Official Plan of the City of Vaughan and some associated planning documents, including the existing Secondary Plans, to the extent that they seek to prohibit drive-through facilities ("DTF") as a use in areas of the City. We do acknowledge that with the recent report of staff prepared for the July 28 meeting, that the position on this issue recommended to Council has improved somewhat, but it is our client's view that the current recommendations do not accord with the law, the facts, or the science of DTF.

We acknowledge and support the concepts of community sustainability that underpin Green Directions Vaughan, and indeed underpin the Provincial Policy Statement and much of your proposed Official Plan. It is simply that facts and science do not support the conclusions reached, or indeed leapt to, about DTF.

We have recently provided studies to staff that prove that DTF are more environmentally sustainable in terms of air quality than are the alternative, being restaurants only with parking lots. Additionally, we have provided staff with a study demonstrating how DTF can promote intensification of land use and reduction of sprawl, as compared to the same alternative. These studies have now been accepted in cities such as Ottawa, Kingston, Whitchurch-Stouffville and London, all resulting in changes to proposed Official Plans and/or zoning bylaws.



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We have also long-since provided to staff decisions of the Board that acknowledge, contrary to the latest staff report, that DTF are transit-neutral, and that DTF do not promote automobile use. The evidence, accepted repeatedly by the Board, is that DTF rely for business on pass-by traffic, and effectively create little or no destination traffic. As such, DTF do not put people in cars or take them out of mass transit or other forms of non-automobile transit, such as foot or bicycle traffic. The same cannot be said, interestingly, for restaurants with parking lots alone.

In a similar case in Ottawa, dealing with OP level prohibitions of DTF, the Board said:,

"that drive-through trips are not typically destination trips, but rather, are drawn from pass by traffic that is already on the road such as driving to a commuter transit station irrespective of the drive-through use being there, hence, drive-throughs do not promote auto dependency, and furthermore, that drive-through facilities reduce the parking requirements for a quick service restaurant."

In terms of the law, we have long since provided to staff decisions ranging from the Ontario Municipal Board, to and including the Supreme Court of Canada going to the point that Official Plans are not to be used to prohibit uses. In addition, there is a plethora of case law that goes to the point that to accomplish prohibitions of this kind, that there is a duty upon municipalities to engage in a fulsome study of the issues surrounding the use. No such study has taken place in Vaughan.

The Committee of the Whole Report, "City of Vaughan Improvement and Potential Regulation of Drive-Through Facilities", dated January 25, 2010, does not nearly rise to the standard expected either by the Ontario Municipal Board, or the Courts.

The recommendations of staff are internally contradictory, in that they allow gas stations and car washes in areas where DTF are prohibited. Surely, these uses are at least as much automobile related uses as is a DTF, and we would argue, much more so. In addition, gasoline stations bring with them environmental issues never raised by DTF.

In summary then, it is our client's view that DTF, as compared to parking lots (which are not proposed to be stringently regulated under the proposed OP), are more consistent with the aims of both the proposed new Official Plan (Vols. 1 and 2 and existing Secondary Plans), and the Provincial Policy Statement ("PPS"), in that among other things, they promote environmental sustainability, and maximize the efficient use of land, and are neutral with respect to establishing alternatives to automobile use, and promoting transit use, whereas parking lots have a negative effect on all of these aims.

We therefore urge Committee and Council to refrain from passing those portions of the OP that seek to prohibit DTF. Further, we strongly suggest that any and all existing prohibitions that exists in existing Secondary Plans, site and area specific policies, which are proposed to be amended as part of "Volume 2" of the proposed new Official Plan be removed. The

gowlings

removal of the existing DT prohibition would be more in keeping with the PPS and other policies of the draft OP related to intensity of land uses and environmental sustainability than would the alternative being larger parking lots in the same areas DT are prohibited. As you may be aware, the OMB has recently ruled that in a statutory 5 year review of Official Plans, there is a duty to bring them into accord with the PPS. To the extent our arguments on compliance, as outlined above are accepted, there will be a duty to amend the Secondary Plans and area specific policies accordingly.

Therefore, we urge you to set these items aside, and to deal with them outside of the full OP review at some point in the future, and in the interim, our clients would be pleased to arrange a session with our air quality and transportation consultants, so that we might demonstrate directly to you, that which staff is already aware of, but has dismissed — that DTF are not in fact the problem they are suggested to be, but that instead, DTF are more supportive of the City's aims than the alternative.

The only alternative to such a continuation of discussion on the topic is to do so in a more formalized context, which we would prefer to avoid.

Thank you for your attention to this matter.

Yours very truly,

Michael S. Polowin

Partner

MSP:abh

cc: Members of Council

Janice Atwood-Petkovski

Diana Birchall John Zipay

Tony Elenis (President and CEO, Ontario Restaurant Hotel and Motel Association)

Michelle Saunders (ORHMA)

Victor Labreche

OTT_LAW\ 2531972\2



WESTON CONSULTING GROUP INC. 'Land Use Planning Through Experience and Innovation'

November 1, 2010 File No. 4742

Mr. Bryan Tuckey Commissioner of Planning Regional Municipality of York 17250 Yonge Street 4th Floor Newmarket ON L3Y 6Z1

ATTENTION: Augustine Ko

Dear Sir:

Re:

City of Vaughan Official Plan

Casertano Development Corporation ("Casertano") and Sandra Mammone

("Mammone")

Vaughan Mills Primary Centre

West side of Jane Street, north of future Bass Pro Mills Drive extension

We are planning consultants to Casertano and Mammone who own adjoining parcels with a combined area of approximately 7.0 hectares at the above location.

In 2009, Casertano and Mammone revised/submitted official plan and zoning amendment applications to permit a high density residential neighbourhood with grade-related commercial uses to be constructed on their lands adjacent to the Jane Street transit corridor. These applications were accompanied by a planning justification report, urban design guidelines, noise report, traffic impact and parking demand study and functional servicing report, all for the two properties combined. In January 2010, the City placed the applications in abeyance pending completion of the official plan review.

The new Official Plan of the City of Vaughan designates the subject properties as "High-Rise Mixed Use" and provides criteria whereby rezoning applications, such as those previously submitted by Casertano and Mammone, may be approved by Council in advance of the completion of a secondary plan for the Vaughan Mills Primary Centre. In our opinion, the Casertano and Mammone applications conform with the land use designation in the new Official Plan, and meet the new Official Plan's criteria for consideration in advance of a secondary plan. We are making a submission to the City in this regard in a letter of today's date.

Since 1981

Vaughan Office:

201 Millway Avenue, Unit 19, Vaughan, Ontario, L4K 5K8

Tel. 905-738-8080

Oakville Office:

1660 North Service Road East, Suite 114,

Oakville, Ontario, L6H 7G3

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In the attached letters dated May 14, 2010, and July 26, 2010, we made submissions regarding the mandatory, built form regulations in the Official Plan, and how exceptions to such regulations would be handled. In addition, we expressed concern regarding the general prohibition of low-rise buildings in the High Density Mixed Use designation (see 9.2.2.6(f)).

As adopted, the Official Plan did not alleviate the concerns relating to built form as expressed in the above letters. We would request that consideration be given to a modification to the City of Vaughan Official Plan to address these concerns.

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

Yours truly,

Weston Consulting Group Inc.

Per:

Alan Young BES MSc MCIP RPP

Senior Associate

cc. Joe DiGiuseppe, Greenpark Group of Companies

Sandra Mammone John Zipay, City of Vaughan Diana Birchall, City of Vaughan Grant Uyeyama, City of Vaughan

Stephen Lue, City of Vaughan

Ann your



WESTON CONSULTING GROUP INC.

'Land Use Planning Through Experience and Innovation'

July 26, 2010 File No. 4742

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

Dear Sir.

Re:

Draft City of Vaughan Official Plan - Response to Submissions July 28, 2010 Casertano Development Corporation ("Casertano") and Sandra Mammone

("Mammone") - Items 7C and 7D

Vaughan Mills Primary Centre - West side of Jane Street

File # OP.25.1

We have reviewed the staff report on the above matter and wish to express our support for staff's recommendations that would allow for consideration of the Casertano and Mammone official plan and zoning amendment applications in advance of the preparation of the Vaughan Mills Primary Centre secondary plan. We acknowledge and thank staff for their efforts in this regard.

In our opinion, the Casertano and Mammone applications would clearly qualify for such consideration because:

- the applications were submitted (well) before May 17, 2010;
- the development concept is consistent with the vision for the Vaughan Mills Primary Centre, and will facilitate significant high-density residential development in a future rapid transit corridor, clearly a contribution towards city-building; and
- further delay to the project would be harmful because further high density residential development in the Jane corridor should begin as soon as possible, to help build the case for rapid transit as soon as possible.

We note that the staff concurs that the Casertano and Mammone applications would be able to proceed for consideration, based on the recommended criteria (see Attachment 1, Part B, pp. 2 and 3 of 230).

We also accept the comment in the staff report that Policy 9.2.1.2 would provide a basis for variations from the mandatory built form criteria in the Official Plan, where (1) justified by the characteristics of the site and (2) supported by an Urban Design Brief. We are concerned however that Policy 9.2.1.2 states that the variations must be "minor". The meaning of the

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term "minor" always generates debate. We would request that "minor" be dropped because, in relation to the numeric standards, it could be interpreted in as meaning within 5% or 10%, when in some cases much greater variations will be justifiable based on the characteristics of the site or the project. The other clauses in this policy provide sufficient protection to ensure that there is an appropriate urban design outcome.

Finally, in a previous submission, we noted that the proposed High-Rise Mixed Use designation permits "High-Rise Buildings" and "Mid-Rise Buildings", but not "Low-Rise Buildings" (buildings of 1-3 storeys). We think that there should flexibility in this designation to allow Low-Rise Buildings provided that Mid-Rise and/or High-Rise Buildings are also to be constructed on the site. On larger sites, a Low-Rise Building would contribute to the creation of pedestrian-scale streetscapes, while Mid-Rise and/or High-Rise Buildings located elsewhere within the site could deliver the desired densities.

The Casertano and Mammone applications each propose a pair of free-standing two-storey commercial buildings framing courtyard open spaces and helping to define the abutting public streets. The Urban Design Department has commented favourably on these proposed buildings which do not prevent the site from accommodating the high-rise buildings that are required to achieve the density desired in this corridor. In our opinion, the proposed design should not be precluded by an official plan policy prohibiting low-rise buildings in this designation.

Staff have commented (see Attachment 1, Part B, p. 2 of 230) that low-rise buildings are permitted in designations other than the High-Rise Mixed Use designation, which appears to miss the point of the above submission. We would ask that staff re-examine this matter. Provided density expectations are met, and the quality of the public realm is addressed, all buildings on a lot in this designation do not have to be mid-rise or high-rise.

To address the above comment we would suggest that Policy 9.2.2.6 be amended by adding the text shown in bold below:

"The following Building Types are permitted in areas designated as High-Rise Mixed Use, pursuant to policies in Section 9.2.3 of this Plan:

- (i) High-Rise Buildings
- (ii) Mid-Rise Buildings
- (iii) Low-Rise Buildings, but only where accompanied by one or more Mid-Rise or High-Rise Building(s) on the same lot.
- (iv) Public and Private Institutional Buildings
- (v) Gas Stations" (9.2.2.6).

Please note that Policy 9.2.1.2, which allows design flexibility, does not apply to the above Policy 9.2.2.6. Therefore, a modification, such as the one proposed above, would be required if low-rise buildings are to be allowed in the High-Rise Mixed Use designation.

We would be pleased to discuss the foregoing further with the City.

Yours truly,

Weston Consulting Group Inc.

Per:

Alan Young, BES MSC/MCIP RPP

Senior Associate

cc. Joe DiGiuseppe, Greenpark Group of Companies

Sandra Mammone

John Zipay, City of Vaughan Diana Birchall, City of Vaughan Grant Uyeyama, City of Vaughan Stephen Lue, City of Vaughan

Pino DiMascio, Urban Strategies Emily Reisman, Urban Strategies



May 14, 2010 File No. 4742

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

Dear Sir:

Re:

Draft City of Vaughan Official Plan - April 2010

Casertano Development Corporation ("Casertano") and Sandra Mammone

"Mammone")

Vaughan Mills Primary Centre - West side of Jane Street

File#OP.25.1

Further to the public meeting regarding the Casertano and Mammone official plan and zoning amendment applications, held on January 12, 2010, and further to our meeting with the Planning Department held on May 10, 2010, this will advise that our clients, Casertano and Mammone, intend to make a revised submission which reduces the proposed building heights on the two properties.

The proposed building height reductions arise from Council's comments as expressed at the public meeting, staff comments, and from Urban Strategies' comments that the maximum height should be 24 storeys. However, rather than a uniform height limit of 24 storeys, we will propose an average building height of 22-24 storeys. We believe a staggered skyline will be more attractive and not detrimental in any way given the land use context.

At the public meeting, the Committee of the Whole directed staff not to bring the Casertano and Mammone applications back for a decision pending completion of the Official Plan review. We did not oppose this deferral because, at that time, adoption of the new Official Plan was scheduled for June 2010.

We have reviewed the draft Official Plan and we agree with the proposed designation of Vaughan Mills as a Primary Centre, and with the proposed High-Rise Mixed Use designation. We note however that a determination of densities and building heights within the Vaughan Mills Primary Centre would be deferred pending the completion of a secondary plan. Also, the draft Official Plan states that "where it has been determined that a Secondary Plan is

required but not yet completed, no amendments to this Plan or the zoning by-law will be permitted without prior or concurrent adoption of the Secondary Plan for that area" (10.1.1.4).

If Council were to adopt the foregoing policy, it would mean that the Casertano and Mammone applications would have to be deferred a <u>second</u> time, <u>and</u> for an indefinite period pending completion of a secondary plan. In our opinion, such a delay is in unwarranted. A secondary plan is not necessary for the consideration of the applications, particularly in view of the recent nature of development in the Vaughan Mills Primary Centre, and the absence of any other proposals for redevelopment or intensification on the Vaughan Mills Primary Centre lands.

All of the submissions in support of the Casertano and Mammone applications have been prepared on a joint basis, and effectively constitute a "tertiary plan" for the only remaining undeveloped lands within the Vaughan Mills Primary Centre. Approval of the applications will not prejudice consideration of future Intensification options within the Vaughan Mills Primary Centre. We would be pleased to refine our submission further to create a "tertiary plan" to respond to the policies in the draft Official Plan, and which could be incorporated into the new Official Plan.

On this basis, and because the applications were submitted prior to the adoption of the new Official Plan, we think that the Casertano and Mammone development applications should be exempted from the Secondary Plan requirement. This will help these lands proceed to development as soon as possible, thereby promoting the provision of rapid transit within the Jane Street corridor.

We would also like to comment on the proposed policies related to built form. We find that these are expressed in the language of a zonling by-law, and impose mandatory numeric requirements related to podium heights, tower sizes and tower separation distances. In our opinion, the Official Plan should incorporate general objectives related to built form, and specific numeric requirements should be placed in guidelines, and, ultimately, in site-specific zoning by-laws. Some degree of flexibility will be desirable for the design process without having to resort to a cumbersome official plan amendment process that would be required every time a variation in the numeric standards is determined to be appropriate. Also, as currently proposed, the prescriptive and mandatory language in the Official Plan would have the unfortunate result of denying jurisdiction for the Committee of Adjustment to approve minor variations in numeric standards in future zoning by-laws.

Finally, we note that the High-Rise Mixed Use designation permits "High-Rise Buildings" and "Mid-Rise Buildings", but not "Low-Rise Buildings" (buildings of 1-3 storeys). We think that there should flexibility in this designation to allow Low-Rise Buildings provided Mid-Rise and/or High-Rise Buildings are also to be constructed on the site. On larger sites, a Low-Rise Building would contribute to the creation of pedestrian-scale streetscapes, while Mid-Rise and/or High-Rise Buildings located elsewhere within the site could deliver the desired densities.

We look forward to continued discussions regarding this matter.

Yours truly,

Weston Consulting Group Inc.

Per:

Alan Young, BES MSC MCIP RPP

An your

Senior Associate

cc. Joe DiGiuseppe, Greenpark Group of Companies

Sandra Mammone

John Zipay, City of Vaughan Diana Birchall, City of Vaughan Grant Uyeyama, City of Vaughan

Stephen Lue, City of Vaughan Pino DiMascio, Urban Strategies

Emily Reisman, Urban Strategies

October 27, 2010 File No. 5030

Mr. Bryan W. Tuckey, MCIP, RPP Commissioner of Planning and Development The Regional Municipality of York 17250 Yonge Street, 4th Floor Newmarket, Ontario L3Y 6Z1

ATTENTION: Augustine Ko

Dear Sir:

Re: City of Vaughan Official Plan - September 7, 2010

1260, 1272, 1282, 1294, 1304 and 1314 Centre Street

North Side of Centre Street between Concord Road and Vaughan Blvd

1096818 Ontario Inc. and Arthur Fisch

City of Vaughan

Weston Consulting Group Inc. is the planning consultant for 1096818 Ontario Limited c/o Arthur Fisch and Arthur Fisch, the registered owners of 1314, 1304, 1282, and 1260 Centre Street, and 1272 and 1294 Centre Street, respectively, in the Community of Thornhill in the City of Vaughan.

Site Description and Policy Background

The subject properties municipally known as 1260, 1272, 1282, 1294, 1304 and 1314 Centre Street are located on the north side of Centre Street, between Concord Road and Vaughan Boulevard. The subject properties are currently occupied by single family dwellings and are adjacent to single family dwellings on the north and east.

The subject properties are designated "Office Commercial" under City of Vaughan OPA 672 and are within the "Centre Street Spine" as outlined in the Thornhill Centre Street Study. The maximum height for any building within the Office Commercial designation is 2.5 storeys. The 0.5 storey is permitted within the roof of the building, and its floor area may be up to 50% of the floor area of the second storey. The Office Commercial designation does not establish a maximum density.

City of Vaughan Official Plan Review Process

WCGI has monitored and participated in the City's preparation of the new Official Plan as it relates to the subject lands indicated above. Submission letters and/or deputations were made to the City of Vaughan expressing our opinion that there is potential for greater

Since 1981

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

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intensification in the form of residential/mixed use development on these sites than what the existing Official Plan (OPA 672) permits.

When the draft version of Volume 1 (City-wide policies) was released in April 2010 for review and comment, the City of Vaughan and their consultants proposed a Mid-Rise Mixed-Use designation with the proposed maximum height of 6 storeys and maximum density of 2.0 FSI. Our submissions generally expressed support of these provisions although we requested greater density (2.5 FSI) and height (8 storeys) as being appropriate for the subject lands.

When Volume 1 was released there had been no suggestion that OPA 672 would be carried forward in Volume 2, effectively cancelling the proposed density and height provisions in Volume 1. Volume 2 was released on May 25, 2010 and WCGI on behalf of the owner, made submissions objecting to the Volume 2 polices. Please see our attached submission letters dated February 9, 2010, May 27, 2010, and June 2, 2010.

New City of Vaughan Official Plan (September 7, 2010)

Volume 2 of the City of Vaughan's Official Plan places the subject properties within the "Centre Street Corridor" Site Specific Policy Area (Section 12.10), whereby the general land use designation and associated policies in OPA 672 would continue to apply. While some adjustments were made to the policies for the purpose of adaptation into the Official Plan, the new Official Plan designates the subject lands "Commercial Mixed-Use" (Schedule 13-T) and "Commercial Mixed-Use "A" providing for a maximum height of 2.5 storeys and a maximum density of 1.0 FSI (Map 12.10.A). The adopted Official Plan differs significantly with the earlier draft in that it deletes the residential permissions and requires conformity to OPA 672.

Perspective on City of Vaughan Official Plan

As indicated in the attached letters, we requested that the new Official Plan consider a mixeduse designation that incorporates both residential and commercial uses on the subject lands, at heights (i.e. 8 storeys) and densities (i.e. 2.5 FSI) that are appropriate for Regional Corridors. The City did not make any changes to address our submissions.

The Official Plan in its current form is unacceptable. Accordingly, we request that consideration be given to a modification to the City of Vaughan Official Plan to permit residential uses on the subject lands and to reinstate at a minimum, the heights and densities contained in the April 2010 draft Volume 1 of the Official Plan. It is our opinion that the earlier assignments are consistent with the City's general objectives relating to residential intensification, and, in particular, the upgrading of Centre Street as a transit-related, residential intensification corridor.

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

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

If you have any questions or require additional information, please contact me.

Yours truly,

Weston Consulting Group Inc.

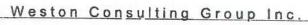
Per:

Sandra K. Patano, MES, MCIP, RPP

Senior Planner

Cc: Dr. Arthur Fisch

John Zipay, City of Vaughan Diana Birchall, City of Vaughan



111

'Land Use Planning Through Experience and Innovation'

June 3, 2010 File No. 5030

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

Dear Sir:

Re:

City of Vaughan Draft Official Plan: Volume 2 – May 2010 1260, 1272, 1282, 1294, 1304 and 1314 Centre Street

File #OP.25.1

Weston Consulting is Group Inc. (WCGI) is the planning consultant for Dr. Arthur Fisch, the owner of the above noted properties, municipally known as 1260, 1272, 1282, 1294, 1304 and 1314 Centre Street, in the City of Vaughan (herein referred to as the 'subject lands'). See attached air photo.

WCGI has been monitoring the City's preparation of the new Official Plan as it relates to the subject lands. Submissions were made to the City on February 9, 2010, and more recently on May 27, 2010 regarding the draft Official Plan Volume 1 document (April 2010). These submissions expressed our opinion that there is potential for greater intensification in the form of mixed use development at this site than what the existing Official Plan (OPA 672) permits. Our submissions generally expressed support of the Mid-Rise Mixed-Use designation with the proposed maximum height of 6 storeys and maximum density of 2.0 FSI as illustrated on Schedule 13-T, but greater density and height were requested as being appropriate for the subject lands.

We have recently reviewed the Vaughan Official Plan Volume 2 document released on May 25, 2010 and are concerned that the Volume 2 document of the new Official Plan has identified the subject lands and the lands known as the "Centre Street Corridor" as a "Site and Area Specific Area" on Schedule 14. The land use designation and associated policies in OPA 672, passed May 24, 2005 have been inserted into Volume 2 of the Official Plan as a consolidation, and would continue to apply notwithstanding the greater permissions in Volume 1. Section 12.2.10 indicates: "the policies of Volume 1 apply except where there is a conflict, in which case the site specific policies named above [in Volume 2] will apply".

The Volume 1 document which was released in April 2010 did not identify this on Schedule 14 and there had been no suggestion that OPA 672 would be carried forward, effectively cancelling the proposed density and height provisions in Volume 1.

On behalf of our client, we object to the Volume 2 polices. As expressed in our earlier submissions a mixed-use designation that incorporates both residential and commercial uses is appropriate for the subject site in consideration of the adopted York Region Official Plan and the contextual situation of the property being located in a "Regional Corridor" along a "Regional Rapid Transit Corridor". The York Region Official Plan indicates that these areas are generally intended to attract medium- and high-density urban development and a mix of residential and commercial uses. At a minimum, the proposed maximum height of 6 storeys and maximum density of 2.0 FSI indicated on Schedule 13-T of Volume 1 are more appropriate than what the current permissions allowed per OPA 672 in that the former is consistent with the Regional Official Plan policies for intensification corridors.

We request that the above noted comments be considered in the preparation of the City's Official Plan.

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

Yours truly,

Weston Consulting Group Inc.

Per:

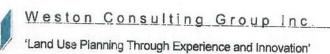
Sandra K. Patano, BES MES MCIP RPP

Senior Planner

Encl. Air Photo

Cc: Dr. Arthur Fisch

John Zipay, City of Vaughan Diana Birchall, City of Vaughan Melissa Rossi, City of Vaughan Pino DiMascio, Urban Strategies Emily Reisman, Urban Strategies



May 27, 2010 File No. 5030

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

Dear Sir.

Re:

City of Vaughan Draft Official Plan - April 2010 1260, 1272, 1282, 1294, 1304 and 1314 Centre Street

File #OP.25.1

Weston Consulting is Group Inc. (WCGI) is the planning consultant for Dr. Arthur Fisch, the owner of the above noted properties, municipally known as 1260, 1272, 1282, 1294, 1304 and 1314 Centre Street, in the City of Vaughan (herein referred to as the 'subject lands'). The subject lands are located on the northeast corner of Centre Street and Concord Road in the community of Thornhill (see attached air photo). The subject properties are currently occupied by single family dwellings.

The subject property is designated "Office Commercial" under City of Vaughan OPA 672 and is within the "Centre Street Spine" as outlined in the Thornhill Centre Street Study. The maximum height for any building within the Office Commercial designation is 2.5 storeys. The 0.5 storey is permitted within the roof of the building, and its floor area may be up to 50% of the GFA of the second storey. The Office Commercial designation does not establish a maximum density. The subject lands are zoned R3 – Residential Zone (R3) and C1-Restricted Commercial by City of Vaughan Zoning Bylaw 1-88.

The C1 zoning applies to the properties at 1260 and 1272 Centre Street. The C1 zoning was put in place by By-law 103-2008 which was approved by the Ontario Municipal Board on April 27, 2009. This by-law permits a 2-storey business and professional office building at a density of 0.56 FSI. The site plan application was approved but clearance of conditions has not been completed.

In May 2002, Applications were submitted to amend the Official Plan and Zoning By-law to permit a 2-storey, 32-bedroom senior citizens' residence at 1304 Centre Street. These applications were subsequently appealed to the Ontario Municipal Board. The Board granted the appeals, and issued its decision in December 2005 to permit the senior citizens'

residence subject to the execution of a site plan agreement between the applicant and the City, and receipt of the amendments to the Official Plan and Zoning By-law. This work has not been completed.

Because the owner has now assembled the intervening properties, there is now potential to achieve a more significant and comprehensive redevelopment scheme, supportive of the City's intensification objectives within a rapid transit corridor. Preliminary drawings prepared by Robert Sarra Designs, dated October 3, 2009 were provided to Urban Strategies at a stakeholders meeting to illustrate a possible development scheme for the subject site. Attached is another conceptual sketch that illustrates the type of development that can be considered appropriate for the subject property. The conceptual sketch proposes a 6 to 8 storey commercial/residential building with the 8-storey portion back more than 3 meters from the podium. A 45 degree angle to the rear property line is respected.

WCGI has been monitoring the City's preparation of the new Official Plan as it relates to the subject lands. A previous submission was made to the City on February 9, 2010, expressing our opinion that there is potential for greater intensification in the form of mixed use development at this site than what the existing planning documents permit. On Monday May 3, 2010, WCGI attended the City of Vaughan's Statutory Public Open House on the draft Official Plan. WCGI has also reviewed the draft Official Plan Volume 1 document (April 2010).

At this time, WCGI offers the following comments on the draft Official Plan as it relates to the above noted subject property:

- 1. We support the designation of the subject lands as Mid-Rise Mixed-Use (Land Use Schedule 13-T Land Use). A mixed-use designation that incorporates both residential and commercial uses is appropriate for the subject site in consideration of the adopted York Region Official Plan and the contextual situation of the property being located in a "Regional Corridor" along a "Regional Rapid Transit Corridor". The York Region Official Plan indicates that these areas are generally intended to attract medium- and high-density urban development and a mix of residential and commercial uses.
- 2. The proposed maximum height of 6 storeys and maximum density of 2.0 FSI indicated on Schedule 13-T is more appropriate than what the current permissions allow in that it is consistent with the Regional Official Plan policies for intensification corridors. We would however request consideration be given to a maximum height of 8 storeys, subject to a 45 degree plane originating from the boundary of the stable residential area to the north. This would push the building massing towards Centre Street, away from the stable residential area.
- 3. Regional Corridors are to accommodate the highest density and scale of development with an overall density target of 2.5 FSI, but the proposed density for this block, at 2.0 FSI, falls short. The subject lands comprise the west half of the block between Concord Road and Vaughan Boulevard. We would request that a maximum density of 2.5 FSI be available for larger land holdings such as the subject lands, because of the additional site planning flexibility that will be available.

4. The language used in Section 9.2.1.2 and 9.2.3.5 relating to the built form of Mid-Rise Buildings, imposes mandatory, numeric requirements. It is our opinion that these policies should take the form of guidelines, not absolute requirements.

5. We support the inclusion of policies in the Official Plan that allow reduced site-specific parking requirements that recognize the need to reduce parking requirements to

encourage transit ridership (s.4.3.2.2).

We request that the above noted comments be considered in the preparation of the City's Official Plan.

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

Yours truly,

Weston Consulting Group Inc.

Per:

Sandra K. Patano, BES MES MCIP RPP

Senior Planner

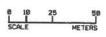
Cc: Dr. Arthur Fisch

> John Zipay, City of Vaughan Diana Birchall, City of Vaughan Melissa Rossi, City of Vaughan Pino DiMascio, Urban Strategies Emily Reisman, Urban Strategies



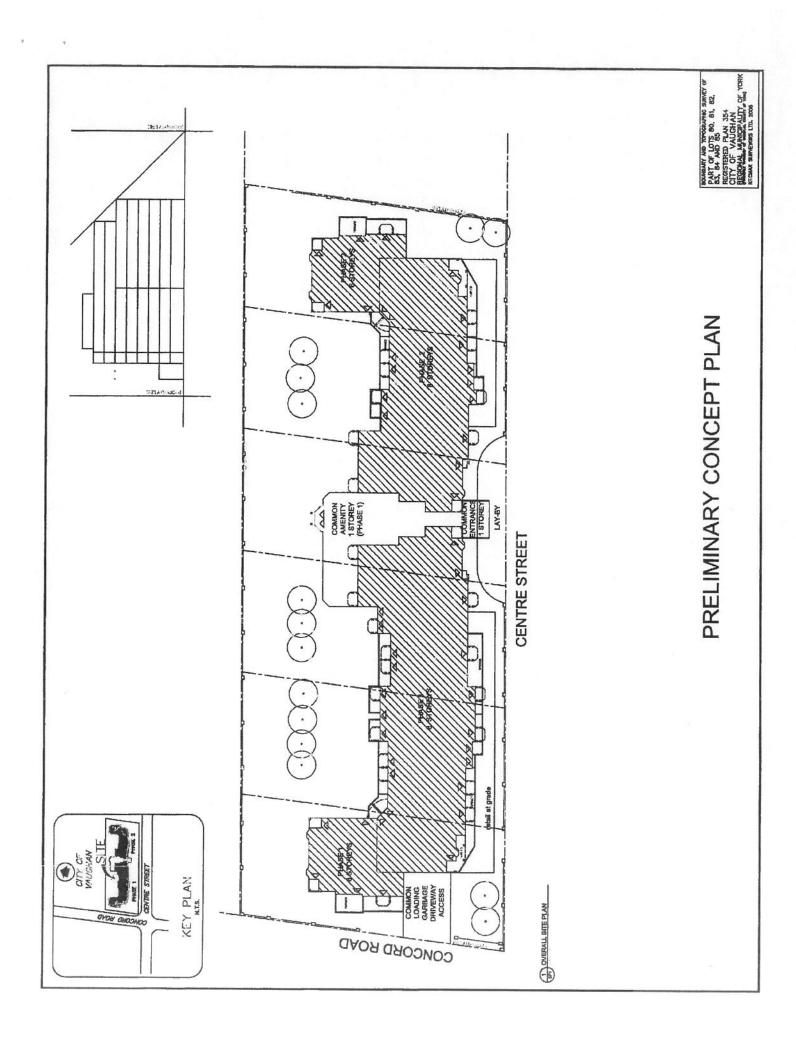


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Air Photograph from York Region Geometics. Date of photography: Spring 2009.

CENTRE STREET PROPERTIES CITY OF VAUGHAN REGIONAL MUNICIPALITY OF YORK





February 9, 2010 File No. 5030

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

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

Dear Sir:

Re: Official Plan Review

1260, 1272, 1282, 1294, 1304 and 1314 Centre Street

City of Vaughan

Weston Consulting is Group Inc. (WCGI) is the planning consultant representing Dr. Arthur Fisch, the owner of the above noted properties, municipally known as 1260, 1272, 1282, 1294, 1304 and 1314 Centre Street, in the City of Vaughan (herein referred to as the 'subject property'). The subject property is located on the northeast corner of Centre Street and Concord Road in the community of Thornhill (see attached air photo). The subject properties are currently occupied by single family dwellings and are surrounded by low density residential land uses to the north, east, south and west.

The subject property is designated "Office Commercial" under City of Vaughan OPA 672 and is within the "Centre Street Spine" as outlined in the Thornhill Centre Street Study. The subject property is zoned R3 – Residential Zone (R3) in the City of Vaughan Zoning Bylaw 1-88.

There are existing approvals for some of the subject properties that were obtained by the pervious owner. Regarding 1272 and 1260 Centre Street, Zoning By-law 103-2008 was approved by the Ontario Municipal Board on April 27, 2009, which rezones the site to "C1-Restricted Commercial" to permit a 2-storey business and professional offices. Clearance of conditions for Site Plan approval issued by the City of Vaughan has not been completed. Regarding 1304 Centre Street, applications were made in May 2002 to amend the Official Plan and Zoning By-law to permit a 2-storey, 32-bedroom senior citizen's residence on the subject property. A Board Order was issued in December 2005 to permit the senior's citizens residence pending the execution of a site plan agreement between the applicant and the City,

and receipt of the amendments to the Official Plan and Zoning By-law. The completion of this work per the Board Order is pending.

At this time, the owner has plans to develop the subject property to permit a mixed-use development consisting of residential and commercial uses at heights beyond the existing approvals for 2-storeys. WCGI has been monitoring the City's preparation of the new Official Plan and it is our opinion that there is potential for greater intensification in the form of mixed use development at this site than what the existing planning documents permit.

On Wednesday November 18, 2009, WCGI attended the City of Vaughan's open house on the status of the Official Plan review. WCGI has reviewed the information available with respect to the subject lands, which indicates that the subject lands are situated in a "Primary Intensification Corridor" and are designated as "Mid Rise Residential Mixed Use" area on the draft Land Use Structure Map.

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

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

- A residential mixed-use designation is appropriate for the subject site in consideration of the recent approval and adopted York Region adopted Official Plan and the contextual situation of the property being located in a "Regional Corridor". The York Region Official Plan indicates that Regional Corridors are intended to support mixed use, transit supportive development that is to accommodate intensification within key development areas.
- 2. The subject lands are a significant site for intensification because of its location on an important corridor for public transit and its availability for redevelopment. The subject lands are located along the north side of the "Centre Street Spine" between Concord Road and Vaughan Road, where the older single-detached residential character and larger parcel sizes combine to create conditions attractive for immediate redevelopment.
- We support the inclusion of medical and dental uses within the proposed designation for the subject site.
- 4. Regional Corridors are to accommodate the highest density and scale of development with an overall density target of 2.5 FSI. The subject site affords an opportunity for higher densities than other lands within the area given that there are no immediate plans for intensification and redevelopment of the stable low-density residential uses in the area. In particular, we suggest that the Official Plan policies should acknowledge concentrating development densities at key intersections (i.e. Centre Street and Concord Road) to ensure that the overall target density for the corridor is achieved and any impacts on the neighboring residential areas are diminished.
- 5. OPA 672 provides a policy indicating that the maximum height for any building within the "Office Commercial" designation shall be two and one-half storeys (11 metres). The one-half storey is permitted in the roof of the building and is to be incorporated in a peaked-

roof design. While we acknowledge that the intent of this policy is to provide compatibility with built form, this policy is restrictive and should be removed.

- In relation to the above point, we suggest that the Official Plan include policies that can
 mitigate the impacts of building heights to ensure compatibility with stable built-up areas.
 For instance, buildings should be designed to allow stepping down of the heights towards
 adjacent low density residential neighbourhoods.
- 7. While we are supportive of a mixed use designation that incorporates both residential and commercial uses for the subject site, the City's Official Plan policies should provide flexibility regarding the types and distribution of land uses in a development for marketability purposes.
- 8. The York Region Official Plan incorporates the work of the Transportation Master Plan update (2009). The Transit Network map (Map 11) shows Centre Street as a "Regional Rapid Transit Corridor" which is generally intended to direct medium- and high-density urban development. The subject property's close proximity to the proposed GO station also makes it a suitable site for higher density mixed use development. We request that the City's Official Plan include policies that recognize the significance of public investment in rapid transit and transit supportive development.
- We support the Regional Official Plan's parking management strategies that include reduced parking requirements for development along transit corridors to encourage transit ridership. We request the inclusion of similar policies in the City's Official Plan.
- 10. We support of the inclusion of urban design policies in the Official Plan that will concentrate development density along the Centre Street frontage and place buildings closest to the right-of-way.

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

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

Yours truly,

Weston Consulting Group Inc.

Per:/

Sandra K. Patano, BES MES MCIP RPP

Senior Planner

Cc: Dr. Arthur Fisch

Pino DiMascio, Urban Strategies Emily Reisman, Urban Strategies



WESTON CONSULTING GROUP INC.

'Land Use Planning Through Experience and Innovation'

October 27, 2010 File No. 5029

REGION OF YORK
PLANNING DEPARTMENT

NOV 0 1 2010

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

ATTENTION: Augustine Ko

Dear Sir:

Re: City of Vaughan Adopted Official Plan - September 7, 2010

1500 Centre Street - Northeast corner of Centre Street and Dufferin Street

2090396 Ontario Limited c/o Arthur Fisch

City of Vaughan

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

Site Description and Policy Background

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

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

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

Since 1981

Vaughan Office:

201 Millway Avenue, Unit 19, Vaughan, Ontario, L4K 5K8

Tel. 905-738-8080

Oakville Office:

1660 North Service Road East, Suite 114,

Oakville, Ontario, L6H 7G3

Tel. 905-844-8749

Potential for Residential Intensification

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

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

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

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

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

Comprehensive Development

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

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

Commercial Mixed Use - Maximum Density and Height

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

Secondary Plan Process

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

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

Conclusion

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

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

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

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

Yours truly,

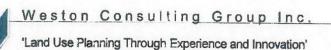
Weston Consulting Group Inc.

Per:

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

Cc: Dr. Arthur Fisch

John Zipay, City of Vaughan Diana Birchall, City of Vaughan



August 31, 2010 File No. 5029

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

Dear Sir:

Re:

Draft City of Vaughan Official Plan: Volume 2 - August 2010

1500 Centre Street, Northeast Corner of Centre Street and Dufferin Street

File # OP.25.1.1

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

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

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

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

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

Yours truly,

Weston Consulting Group Inc.

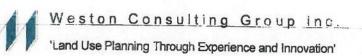
Per:

Sandra K. Patano, BES MES MCIP RPP Senior Planner

Cc:

Dr. Arthur Fisch

John Zipay, City of Vaughan Diana Birchall, City of Vaughan Melissa Rossi, City of Vaughan Pino DiMascio, Urban Strategies Emily Reisman, Urban Strategies



May 27, 2010 File No. 5029

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

Dear Sir:

Re:

Draft City of Vaughan Official Plan - April 2010

1500 Centre Street, Northeast Corner of Centre Street and Dufferin Street

Centre Street Primary Intensification Corridor

File # OP.25.1

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

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

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

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

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

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

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

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

Attached are *preliminary* architectural drawings prepared by Robert Sarra Designs, dated September 11, 2009 that illustrate the type of development that can be considered appropriate for the subject property. The proposal contemplates the development of the subject property for a mixed-use project comprising a mid-rise (9-storey) residential and retail/office building. The commercial uses, consisting of 621.8 m² (6,693.0 ft²) are located on the ground and second floors. The ground floor commercial uses face Centre Street to animate the street and encourage pedestrian activity. In total, there are 48 residential units which are contained on floors 3 through 9. The gross floor area as shown on the site plan is 3.98 FSI. The proposed parking plan provides for 90 spaces (1.2/unit plus 0.2/unit for visitor parking and 4.8 spaces/100 m² for the commercial uses). It is noted that the parking layout plan will be revisited to allow for less underground parking levels.

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

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

Yours truly.

Weston Consulting Group Inc.

Per:

Sandra K. Patano, BES MES MCIP RPP

Senior Planner

Cc: Dr. Arthur Fisch

John Zipay, City of Vaughan Diana Birchall, City of Vaughan Melissa Rossi, City of Vaughan Pino DiMascio, Urban Strategies Emily Reisman, Urban Strategies





WESTON CONSULTING GROUP INC.



File No: 5029
Date Drawn: Feb 4, 2010
Drawn By: sb
Planner: so

Planner: sp Scale: See scale hor

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SUBJECT LANDS



Air Photograph from York Region Geometics. Date of photography: Spring 2009.

AIR PHOTOGRAPH

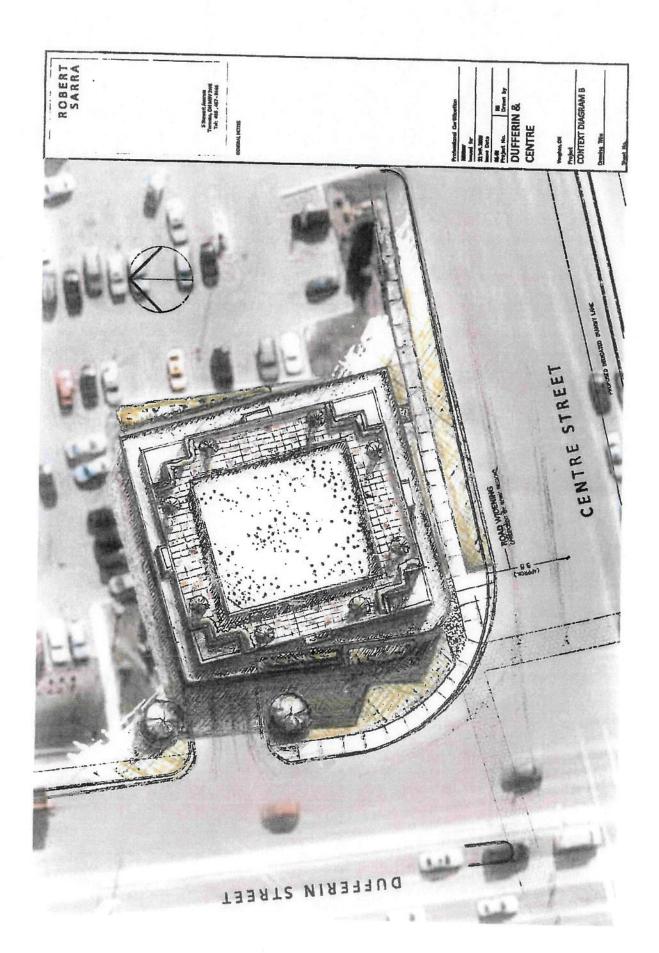
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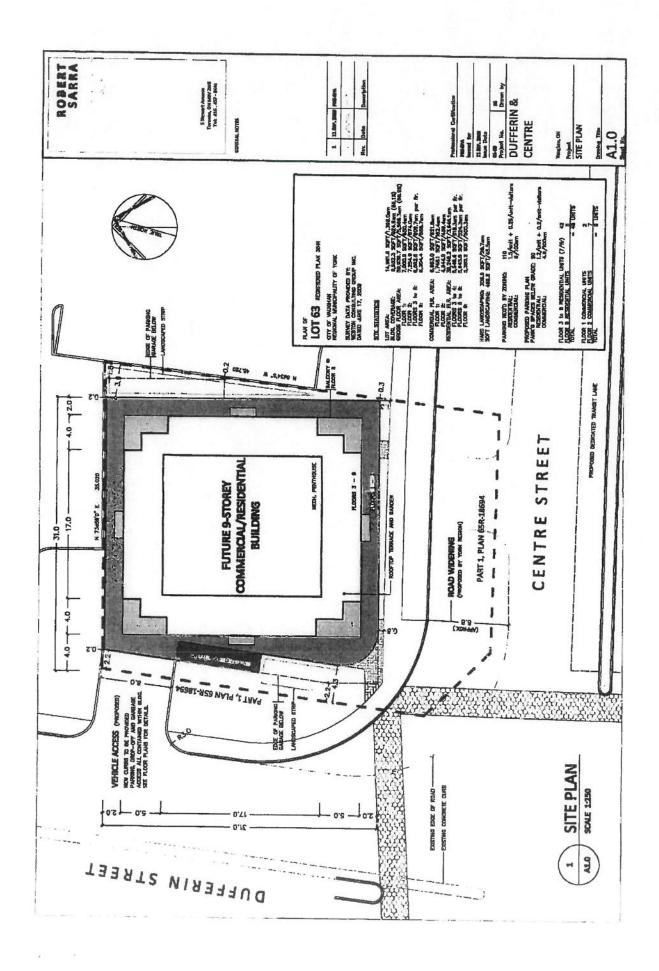
ROBERT SARRA DESIGNS SEPTEMBER 11, 2009

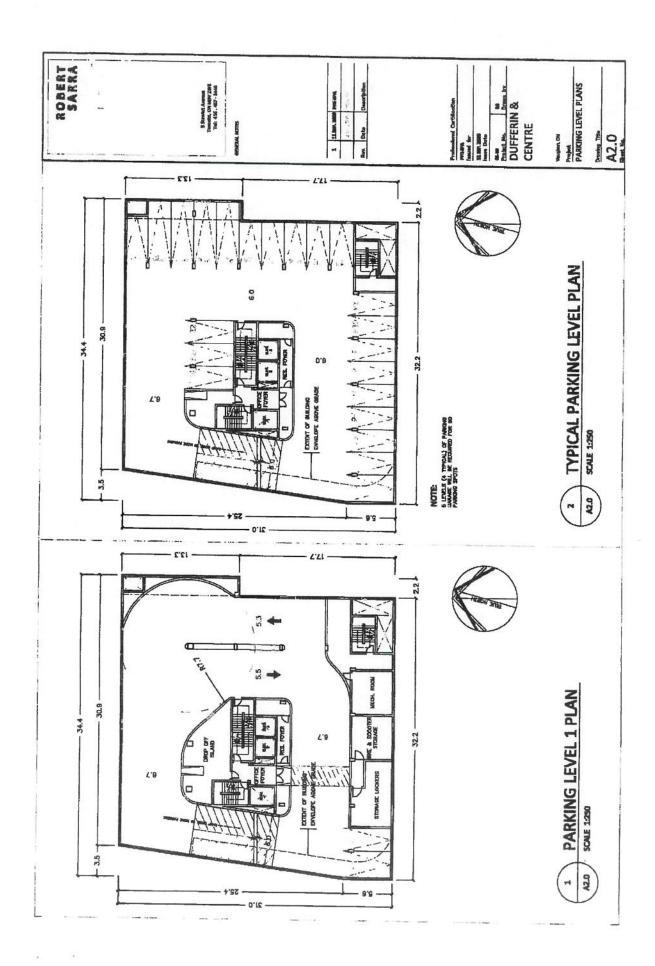
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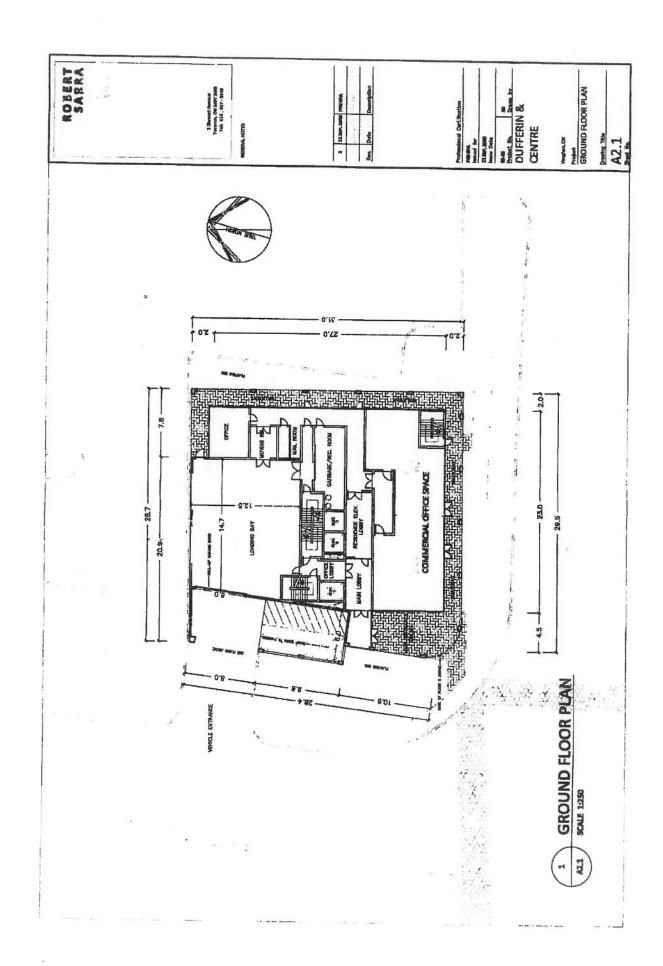
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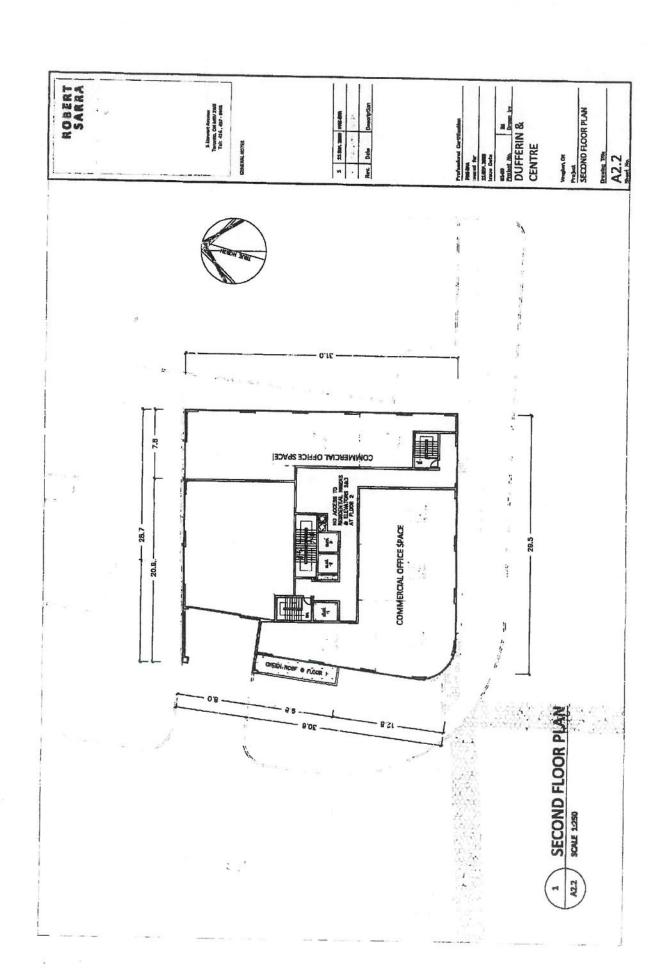
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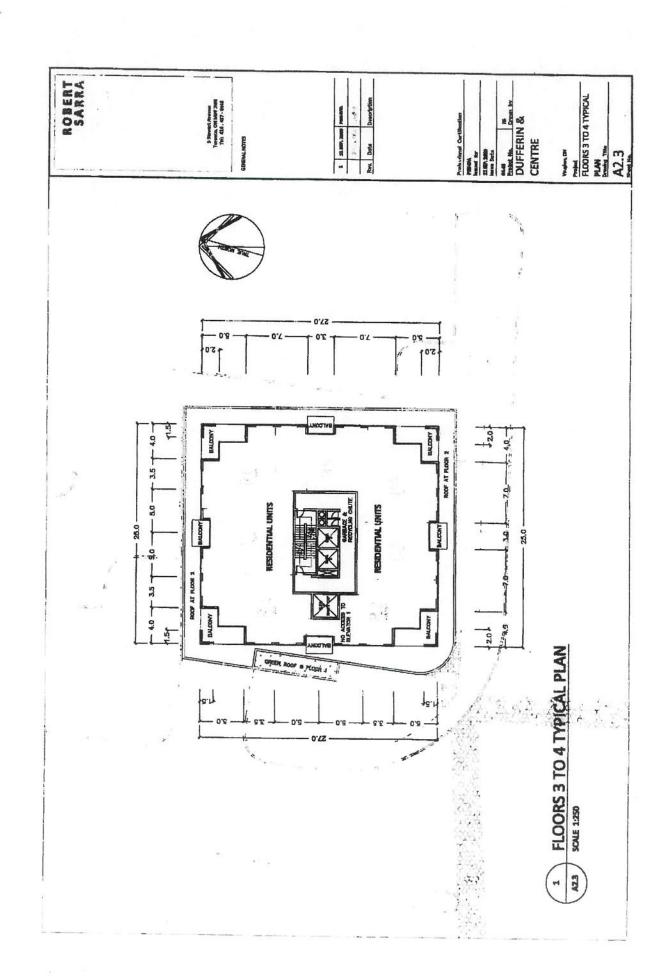


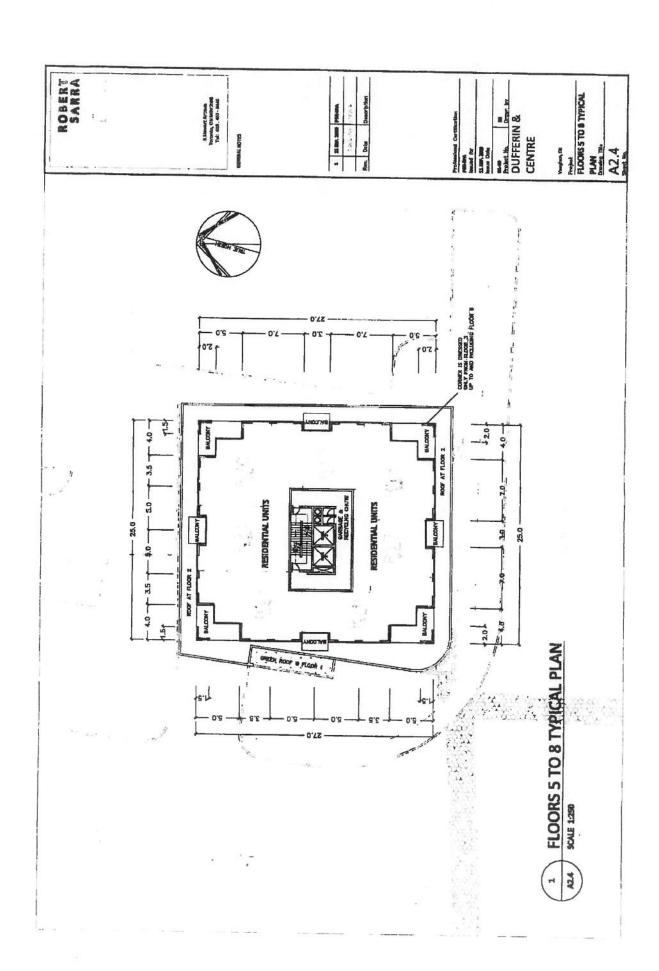


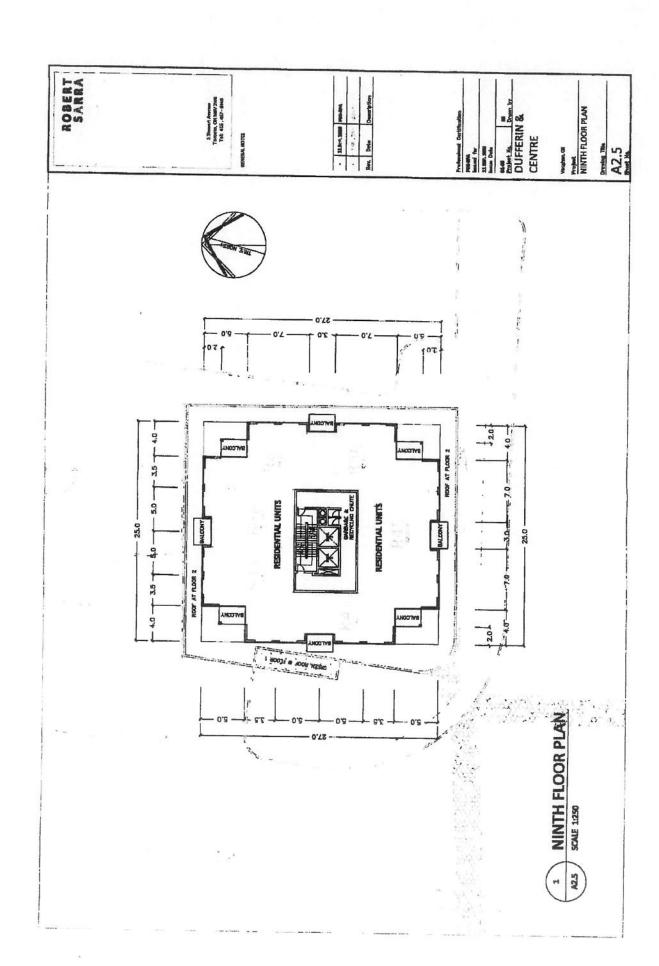














February 9, 2010 File No. 5029

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

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

Dear Sir:

Re: Official Plan Review

1500 Centre Street, Northeast Corner of Centre Street and Dufferin Street

City of Vaughan

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

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

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

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

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

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

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

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

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

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

Yours truly,

Weston Consulting Group Inc.

Per:

Sandra K. Patano, BES MES MCIP RPP

Senior Planner

Cc: Dr. Arthur Fisch

Pino DiMascio, Urban Strategies Emily Reisman, Urban Strategies

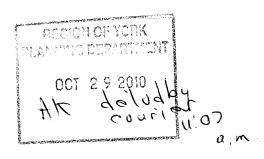


WESTON CONSULTING GROUP INC.

'Land Use Planning Through Experience and Innovation'

October 28, 2010 File No. 5264

Mr. Bryan Tuckey Commissioner of Planning Regional Municipality of York Planning Department 17250 Yonge Street, 4th Floor Newmarket, ON L3Y 6Z1



Dear Sir:

Re: The new City of Vaughan Official Plan as it relates to the lands south east of Highway 27 and Rutherford Road being 5859 Rutherford Road

Weston Consulting Group Inc. (WCGI) is the planning consultant representing Mr. Alex Marrero, who is the owner of the above noted property in the City of Vaughan (see attachment 1). The subject lands are designated "Natural Areas" on Schedule 13-K (see attachment 2) and "Core Features" on Schedule 2 (see attachment 3) in the new City of Vaughan Official Plan. We are strongly opposed to the proposed designation as it severely limits the appropriate site alteration and expansion of our client's lands.

In our opinion, such a restrictive and prohibitive designation should not be applied to private lands where existing development has occurred. Recognizing the existing development on the property and expanding the list of permitted uses to include a private school, a place of worship, a senior residence, a day camp and certain forms of medium density development is considered appropriate in this case and desirable for the proper development of this site. Low intensive land uses such as these would enhance, respect and bring stewardship to the property.

It is appropriate that any proposed development be restricted to the general footprint of the existing development on the site and our client is willing to work within these parameters. It is also appropriate that the balance of the lands be maintained and that they continue to contribute to the natural systems of the City. Our client is willing to consider a partnership with the City and/or the Toronto and Region Conservation Authority in this regard.

Notwithstanding the above, the new City Official Plan at Section 3.2.3.10 (see attachment 4) contemplates "minor modifications to the boundaries and alignment of Core Features if environmental studies, submitted as part of the development process to the satisfaction of the

Since 1981

Main Office: 201 Millway Avenue, Unit 19,

Vaughan, Ontario, L4K 5K8

Tel. 905-738-8080

Oakville Office:

1660 North Service Road East, Suite 114,

Oakville, Ontario, L6H 7G3

Tel. 905-844-8749

City and in consultation with the Toronto and Region Conservation Authority, provide appropriate rationale for such minor modifications and include measures to maintain overall habitat area and enhance ecosystem function. Minor modifications deemed acceptable by the City in consultation with the Toronto and Region Conservation Authority do not require amendment to this Plan.

Despite Section 3.2.3.10, it is the position of City of Vaughan Planning staff that any application to develop the property will require an amendment to the new Official Plan. We are strongly opposed to this position and it is our interpretation of this policy that should environmental justification be provided as part of a development application which warrants the adjustment of the "Core Feature" boundary, an amendment to the Official Plan will not be required. We would respectfully request that the Region indicate their interpretation in this matter.

We find the provisions in the new City of Vaughan Official Plan to be unacceptable in their current form. Nonetheless, we are committed to working with the Region and the City to workout policies acceptable to our client's interest.

We have attached with this letter our initial submission to the City of Vaughan dated July 6, 2010 (see attachment 5) and we would respectfully request your consideration of the above points as well as the points raised in our initial submission to the City. We would be pleased to discuss these issues with you further.

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

Yours truly.

Weston Consulting Group Inc.

Per:

Christopher Tickner, BAppSc, BSocSc

Senior Planner

Councillor Tony Carella, City of Vaughan John Zipay, City of Vaughan Diana Birchall, City of Vaughan Grant Uyeyama, City of Vaughan Tony Iacobelli, City of Vaughan Mauro Peverini, City of Vaughan Augustine Ko, Regional Municipality of York Mr. Alex Marrero, owner Peter Weston, WCGI





Planner:

Date Drawn: Sep 13, 2010

Scale: See scale bar CAD FILE: 5264/oir photo/FBS.dgn





Air Photograph from First Base Solutions WMS. Date of photography: 2009

AIR PHOTOGRAPH

5859 RUTHERFORD ROAD CITY OF VAUGHAN REGIONAL MUNICIPALITY OF YORK Attachment 2

September 2010

0

SCHEDULE 13-P

Attachment 4

- d. low-intensity and passive recreational activities where such activities will not result in a negative impact on the Core Features and will not have a negative impact on the ecosystem function.
- 3.2.3.8. Unauthorized removal or alteration of natural features or functions within areas identified as **Core Features** is prohibited, and will result in the features and functions being restored to their previous state at no expense to the City of Vaughan and other public agencies. In the case of a development application, the application will not proceed until restoration works have been undertaken to the satisfaction of the City and TRCA and/or Region of York, as needed.
- 3.2.3.9. That Core Features will be conveyed to the City and/or Toronto and Region Conservation Authority as a condition of development approval. Where public ownership of all or part of the vegetation protection zone is not considered practical or feasible, the City in consultation with the Toronto and Region Conservation Authority may permit the vegetation protection zone or portions of it to remain in private ownership, subject to an acceptable level of protection being provided.
- 3.2.3.10. That minor modifications to the boundaries and alignment of **Core Features**, as identified on Schedule 2, may be considered if environmental studies, submitted as part of the development process to the satisfaction of the City and in consultation with the Toronto and Region Conservation Authority, provide appropriate rationale for such minor modifications and include measures to maintain overall habitat area and enhance ecosystem function. Minor modifications deemed acceptable by the City in consultation with the Toronto and Region Conservation Authority do not require amendment to this Plan. Core Features and their ecological buffers will be encouraged to be conveyed to the City and/or TRCA as a condition of development approval.

Enhancement Areas

- 3.2.3.11. That Enhancement Areas are identified conceptually on Schedule 2 and may be important potential components of the Natural Heritage Network because they may:
 - a. enhance form and function of watercourses;
 - b. maintain and/or enhance water flow:
 - c. improve wildlife habitat value:
 - d. improve species movement and/or dispersal;

Attachment 5



Weston Consulting Group Inc

'Land Use Planning Through Experience and Innovation'

July 06, 2010 WCGI File 5264

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

ATTENTION: Mr. Jeffrey A. Abrams, City Clerk

Dear Sir:

Re:

Submission regarding the draft City of Vaughan Official Plan: Volume 1- dated April 2010 as it relates to the lands south east of Highway 27 and Rutherford

Road; being 5859 Rutherford Road.

File no. OP.25.1

Weston Consulting Group Inc. (WCGI) is the planning consultant representing Alex Marrero, who is the owner of the above noted lands in the City of Vaughan. We are pleased to make this submission, on his, to request that the subject lands (5.3 hectares) be permitted to develop in an appropriate and sensitive manner beyond what is currently proposed in the draft City of Vaughan Official Plan.

Site Description:

The property is located on the south side of Rutherford Road, east of Highway 27 and is municipally known as 5859 Rutherford Road. The site maintains direct access and frontage on Rutherford Road and is developed with a large single family detached dwelling. The property is located in a valley branch of the Humber River and is bounded by dwelling units to the north and east and open space to the south and west. Lands further west of the property are developed with a large residential subdivision.

The subject lands are designated Natural Areas and Countryside in the draft City of Vaughan Official Plan (April 2010). The following land use policies are relevant to lands designated Natural Areas and Countryside:

- Policy 2.2.2.1 That Natural shall be protected and their ecological functions preserved through maintenance, restoration, or where possible, improvement through additional linkages or corridors between features to ensure the connectivity of the overall network.
- Shall maintain a significant and productive Countryside within the municipal boundary of the City of Vaughan, and to recognize the important role agricultural lands in the Countryside play in providing open space connections between Natural Areas.
- Policy 2.2.2.3 To facilitate public access to major natural features in conjunction with the Toronto and Region Conservation Authority where appropriate, and where such access will not significantly damage natural features or their functions.
- Policy 2.2.2.4 That public ownership of major open spaces and natural features within Natural Areas is preferred, and Council shall seek to acquire appropriate lands to contribute to the system and/or establish partnerships for the acquisition and stewardships of such lands. The sale or disposal of publicly-owned lands within Natural; Areas and Countryside is discouraged.
- **Policy 2.2.2.5**To recognize the historic significance of the rural Hamlets of Teston and Purpleville and to maintain their historic character.
- Policy 2.2.2.6 To promote the development of scenic countryside routes along public streets outside of the urban area, where appropriate.

The subject lands are also identified within the draft City of Vaughan Official Plan as a "Core Feature" and are prohibited from developing other than;

- Natural area management for the purposes of maintaining and enhancing the functions associated with Core features.
- Flood or erosion control projects
- Transportation, infrastructure, and utilities, where such projects are necessary and deemed in the public interest after all alternatives have been considered, and where such projects will not result in a negative impact on the Core Features and will not negatively impact ecosystem function; and
- Low-intensity and passive recreational activities where such activities will not result in a negative impact on the Core Features and will not negatively impact ecosystem function.

Discussion

The City of Vaughan has established policies in its new Official Plan that prohibit most forms of land use development at the subject site. The policies contained prohibit site alteration or expansion in order to protect and enhance the function of the natural areas and countryside of the Municipality. It is WCGI's, and the position of our client, that the intent of the Official Plan can be maintained and that Natural Areas and Countryside can be protected and enhanced by allowing some intensification provided it occurs in an environmentally sensitive manner.

It is our opinion that the proposed prohibitive restrictions should not be applied to private lands and particularly where existing development has taken place. It is our position that by recognizing the existing use of the subject lands and by permitting appropriate expansion, this will allow for the reasonable use of private property. Secondly, we also believe that permitting appropriate land uses that respect the environmental significance of the land does not destroy the fundamental objectives of the proposed Official Plan designation.

We would respectfully submit that land uses such as a place of worship, private school, day camp should be allowed to develop at the site. Less intensive land uses such as these may even enhance the natural heritage by bringing awareness and stewardship to the property. Land uses that are environmentally sensitive and that respect the sites natural heritage would preserve the intent of the Official Plan and help the City maintain its natural heritage as long term assets.

All of which is respectfully submitted.

Please contact Muna Huq or the undersigned should you have any questions.

Kind regards,

Weston Consulting Group Inc.

Christopher Tickner BAppSc, BSocSc

Planner

Cc John Zipay, Commissioner of Planning Planning Department, City of Vaughan



KITCHENER WOODBRIDG LONDON KINGSTON BARRIE

The state of the s

OCT 29 2010

October 28, 2010

Augustine Ko
Planning and Development Services
Community Planning Branch
Region of York
17250 Yonge Street
Newmarket, ON
L3Y6Z1

Dear Mr. Ko;

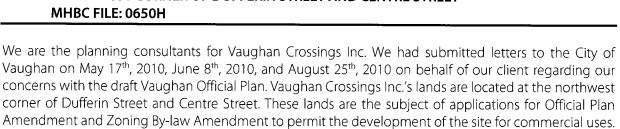


ADOPTED VAUGHAN OFFICIAL PLAN

VAUGHAN CROSSINGS INC.

These applications were submitted in 2008.

NORTHWEST CORNER OF DUFFERIN STREET AND CENTRE STREET



We had recommended several modifications to City staff during the Official Plan review process to recognize the proposed development. We have now reviewed the Official Plan as adopted by Vaughan Council on September 7, 2010, and find that the plan does not satisfy our client's concerns relative to their lands. These concerns are discussed in detail below.

Existing Permissions

The lands are currently designated 'Prestige Area' in the in-effect Vaughan Official Plan as per OPA 450 (as amended by OPA 555). This designation permits offices, hotels, prestige employment uses, civic uses, and ancillary retail and personal service uses. The lands are also subject to a Special Policy Area through OPA 672, which designates the property as 'Western Gateway.' This designation allows additional uses in the 'Prestige Area' designation, including recreational and institutional uses

The lands are zoned 'Prestige Employment Area Zone – Holding Provision' (EM1(H)) in the City of Vaughan Zoning By-law, and are subject to site specific zoning exception number 9(1186). This zone permits business and professional offices, convention centres, hotels, open storage, and existing uses.

Our client had submitted applications for Official Plan and Zoning By-law Amendments to expand the range of uses permitted on the property in 2008. These applications are still open and our client intends to proceed with them now that the City's Official Plan Review process has been undertaken.

Concerns With Adopted Official Plan

Urban Structure

The adopted Official Plan shows the lands structurally designated as 'Employment Areas' and 'Primary Intensification Corridors in Employment Areas' on Schedule 1 (Urban Structure). The latter structural element is found only along the frontage of Centre Street. In their report to Committee of the Whole on July 28th, 2010, staff had recommended that this site be redesignated to 'Community Area' in Item 68A, Attachment 1, Part B of that report (attached). It is our understanding that the staff recommendations in this report were approved by Committee of the Whole and subsequently were to be incorporated into the final Official Plan, however, the site remains located within the 'Employment Areas' and 'Primary Intensification Corridors in Employment Areas' designations on Schedule 1 (Urban Structure) of the adopted plan.

We note that the 'Employment Areas' and 'Primary Intensification Corridors in Employment Areas' designations are contrary to the staff recommendations. Therefore, we request that the City staff recommendation to redesignate the site's Urban Structure designation to 'Community Area' be implemented.

Core Feature of the Natural Heritage Network

A 'Core Feature of the Natural Heritage Network' designation is shown as being on the site in the adopted Official Plan's Schedule 2 (Natural Heritage Network). We had requested that this designation be removed during our review of the draft Official Plan, as no significant natural heritage features are located on the site. The staff report to Committee of the Whole, dated July 28th, 2010, concurred with this assessment, and recommended removal of this designation in Item 68A, Attachment 1, Part B of the report.

The adopted version of the Official Plan shows this site as still containing a 'Core Feature of the Natural Heritage Network' designation. This designation is not consistent with the staff recommendation nor with the existing conditions on the property. Therefore, we request that the staff recommendation to remove the 'Core Feature of the Natural Heritage Network' designation be implemented.

Secondary Plans

The adopted Official Plan identifies a need for a Secondary Plan for the Dufferin Street and Centre Street intersection on Schedule 14 (Areas Subject to Secondary Plans). The policies of Section 10.1.1.4 of the plan would preclude any individual Official Plan or Zoning Amendment approvals until the required Secondary Plan is completed. There is no indication of when this Secondary Plan will be developed.

We find this is an onerous requirement that will sterilize the lands for an unknown amount of time. In addition, an Area Specific Policy already exists to regulate this intersection, known as the Centre Street Corridor Area Specific Plan, found in Volume 2 of the adopted Official Plan. We had requested to the City that the subject site be removed from the area requiring a Secondary Plan so that development could proceed on the site as planned under the existing submitted applications. This recommendation was not

implemented in the adopted Official Plan. Therefore, we request that the Region implement this recommendation in order to allow development to proceed as proposed.

To rectify the above issues, we request that the Region implement the recommended modifications that we had requested from City staff. The following modifications would be required to rectify the above noted situations:

- 1. That the Region implement the recommendations of Item 68A, Attachment 1, Part B of the staff report dated July 28th, 2010 regarding the redesignation of the site from 'Employment Areas' and 'Primary Intensification Corridors in Employment Areas' to 'Community Areas' on Schedule 1 (Urban Structure);
- 2. That the Region implement the recommendations of Item 68A, Attachment 1, Part B of the staff report dated July 28th, 2010 regarding the removal of the 'Core Feature of the Natural Heritage Network' designation from Schedule 2 (Natural Heritage Network); and
- 3. That the Region amend Schedule 14 (Areas Subject to Secondary Plans) to remove our client's site from the required Secondary Plan area.

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

Please add us to the circulation list for the Notice of Approval of the final Official Plan.

Thank you,

Yours truly,

MHBC

d A. McKay, MSc, MCIP, RPP

cc. Barry Godfrey, Vaughan Crossings Inc. Mauro Peverini, City of Vaughan

Attachment 1
Part B: Summary of Respondents' Requests/Concerns and Staff Comments and Recommendations

Recommendation		1) Schedule 1 should be amended to designate the lands as "Community Area" consistent with Schedule 13-T identifies the lands as Commercial Mixed-Use. 2) Amend Schedule 2 to remove the "Core Features" designation from the lands. 3) No change is recommended.
Comment	with respect to the built form policies of section 9.2.3.6. Section 9.2.1.2 does permit some flexibility to the effect that minor variations will be permitted to the built form policies, provided that they are supported through an Urban Design Brief to the satisfaction of the City.	In the more recent letter (68 B), the proponent refines the issues. Clarification is requested respecting the discrepancies between Volume 1 and 2 of the Official Plan. 1) Nonetheless, the lands maintain their current designation according to OPA 672 included in Volume 2. 2) The parcel appears to include the Core Features designation of the Natural Heritage Network according to Schedule 2. The Core Feature designation does not appear on Schedule 13-T. The parcel does not include a Significant
enssi		1) Requests the "Employment Area" structural designation be changed to "Primary Intensification Corridor". 2) Remove Natural Areas and Countryside on property. 3) Other three corners of Dufferin and Centre Street are designated "Mid-Rise Mixed-Use" that permits residential uses and would like to request the northerly portion of lands be designated Mid-Rise Mixed-Use.
Submission		DATE: May 17, 2010 RESPONDENT: MHBC Planning LOCATION: Northwest corner of Dufferin Street and Centre Street
Tem .		68 A

Attachment 1 Part B: Summary of Respondents' Requests/Concerns and Staff Comments and Recommendations

Recommendation			No change recommended.
Comment	Forest according to the Region of York study. The parcel does not include Terrestrial Resources as identified in OPA 600. The area is noted as a possible inter-regional trail in Don River Watershed Report, and not as Existing or Potential Cover.	3) Re-designation of these lands as requested by the proponent would require further study through a future study of the OPA 672 area. Refer to discussion under 50C, 51B and 51C.	To clarify, the policies of Volume 2, Centre Street Secondary Plan (OPA 672), require Council approval of a Concept Plan for the entire area designated Prestige Area. The Concept Plan must be approved prior to consideration of zoning by-law and site plan applications. The Concept Plan should address the location of local roads, street access points, pedestrian connections, buildings, etc. Re-designation of these lands as requested by the proponent would require further study through a future study of the OPA 672 area.
issue			Draft OP in Schedule 1 identifies the subject land as including Primary Intensification Corridor, Employment Area, Natural Area, and Countryside. Volume 2 identifies subject land as subject to OPA 672 and a Secondary Plan. Request clarification on discrepancies.
Submission			DATE: June 08, 2010 RESPONDENT: MHBC Planning LOCATION: Northwest corner of Dufferin Street and Centre Street
Item			68B

D06.2010.V.01.043

Ko, Augustine

From: Hessie Rimon [hrimon@pmgplanning.ca]

Sent: October 29, 2010 9:07 AM

To: Ko, AugustineCc: Randy Eadie

Subject: New Official Plan, Town of Richmond Hill

Dear Sir,

This will serve as our request to receive your "Notice" following York Region's decision on the captioned Plan. Thank you.

Hessie Rimon hrimon@pmgplanning.ca PMG Planning Consultants 227 Bridgeland Avenue Toronto, ON M6A 1Y7 Phone: 416-787-4935 x 41

Fax: 416-787-0004

D06.2010.V.01.042

Ko, Augustine

From:

Jean Roy [jean.roy23@sympatico.ca]

Sent:

October 27, 2010 4:08 PM

To:

Ko, Augustine

Cc:

Eric Bristow; Don Dussault; Vince Serratore; Dominique Menard; Vince Chin

Subject:

Canadian Petroleum Products Institute and Vaughan Official Plan

Attachments: CPPI letter to Vaughan June 7, 2010.pdf; CPPI letter to Vaughan June 9, 2010.pdf; CPPI

letter to Vaughan July 5, 2010.pdf; CPPI letter to Vaughan July 27, 2010.pdf

Augustine,

Thanks for having returned my phone call message this morning. As discussed the Canadian Petroleum Products Institute (CPPI) has some significant issues regarding the new proposed Vaughan Official Plan. For your reference, please find attached our past correspondence with the Town of Vaughan providing details on these concerns.

We would like to be placed on the Notification List for any meetings, reports, etc. resulting from the Region's review of the Vaughan OP.

We will be happy to participate in any discussions on this topic as this OP proceeds through the York Region review and approval process.

Regards,

Jean Roy

Canadian Petroleum Products Institute

Tel: 416-222-5991

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rom: dean Roy liean roy Life symbaboo ca

Sent: "October 27, 2610 4:96 PM

To: Augustine

End Bristovi, Den Omsault, Viene Sen atore, Dominione Menand, Vinde Chin

Subject: Canadian Petroleum Products Institute and Vauenan Official

Atlachments: CPPI effects Vaughen June 7, 2010.pdf, JPPI intents Vaughan June 9, 2010.pdf, GPPI

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We will be happy to participate in any discussions on this topic earlie. Or proceeds through the York Region in every and insurved process.

Permit

work right

Canadian Penn's an Products Instructe

Tel-1227-19



June 7, 2010

By E-mail to: clerks@vaughan.ca

jeffrey.abrams@vaughan.ca

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

Dear Mr. Abrams:

Re: File number OP.25.1 Vaughan's New Official Plan and Secondary Plan

I am writing this letter on behalf of the <u>Canadian Petroleum Products Institute</u> ("CPPI"), Ontario Division regarding the above topic. CPPI represents the member companies which include Shell, Petro-Canada, Suncor, Imperial Oil and Ultramar. We are submitting this letter on behalf of our member companies. The majority of automobile service stations (gas stations) within the City of Vaughan are owned by CPPI member companies. While CPPI members are competitors in the market place, the member companies work together under the CPPI umbrella on various issues which may be common to the industry. Since its creation in 1989, CPPI has represented the views of its membership on business, environmental, zoning, traffic access, parking requirements, tanker truck circulation and health and safety issues.

CPPI has a genuine interest in ensuring that its member stations are safe and viable while meeting the customer needs and also being compatible with the needs of the community.

We commend the City of Vaughan ("City") for updating its Official Plan ("OP"). We have however significant concerns with some of the proposals contained in the current draft OP and we are pleased to have the opportunity to provide some comments and input on this topic.

Item #1

4.3.3 Travel Demand Management

This section of the OP document states: "As Vaughan's population and travel needs grow, travel demand management will be increasingly necessary to ensure efficient movement."

We support this statement and we would like to share with you how the service station industry is presently contributing significantly to the area of travel demand management and efficient movement. There was a time (25 to 50 years ago) when the term "service station" was related mainly at servicing the motor vehicle with fuel, maintenance and repairs. With the evolution of motor vehicles during the past 25 years, their improved reliability and increased technical sophistication, the role of the service station has shifted to providing a new range of products and services to the public, while still providing fuel for the motor vehicles.

Customer research done by the service station industry has identified that the travelling public was often in need of a multitude of daily or frequent services which would for example require many different short trips or stops while commuting from home to work or during various daily activities. The modern service station allow for a "one stop shopping" concept where the public can perform a multitude of daily tasks on one site thus avoiding otherwise many separate small trips. For example a customer may, while stopping to purchase fuel for the motor vehicle, obtain cash from a bank machine, purchase a newspaper or magazine, purchase a lottery ticket, purchase various convenience products or perhaps even a light snack, etc. Without the benefit of a service station conveniently located, many of these activities would otherwise require separate short trips, driving off and back on the road, parking and shutting off the car engine and restarting the vehicle at every stop. When a service station site is equipped with a fast-food drive-through, there is also then an added benefit of convenience for customers in a hurry, parents travelling with small children, customers with limited physical mobility, etc. The modern service stations provide public washrooms which are adapted for customers with disability. Most modern service stations are opened 24 hours per day, seven days per week and are often a "beacon in the night" when the public is in need of service in case of emergency. Over the past decade the capacity of the new modern service stations at serving the customers has been significantly increased with larger and more elaborate facilities. The result of this increase in capacity has led to the service stations being able to provide service to a larger number of customers per site and therefore requiring a fewer number of service stations per capita.

Item #2

5.2.3 Supporting and Transforming the Retail Sector

The sixth paragraph of this section states: "all new drive-through facilities shall adhere to specific design guidelines and should not be permitted within areas where a pedestrian-friendly character needs to be protected and enhanced, such as Intensification Areas and Heritage Conservation Districts."

We are opposed to this prohibition of drive-through facilities in Intensification Areas as these drive-through facilities perform a useful service to the community. In order to provide a balanced view regarding the use of drive-through facilities we would like to emphasize that the increasing popularity of drive-through facilities is a testimony of their usefulness at meeting the community needs.

Some of the main benefits of drive-through facilities can be summarized as follows:

- Added convenience for persons with disabilities and families traveling with small children.
- Customer protection from inclement weather.
- Convenience and time saving for customers in a hurry.
- · Customer and operator safety after dark or late at night.

In addition to these benefits, this also allows that:

- Buildings can be smaller and require less space for seating area.
- Less energy is required for a smaller building.
- Less parking area may be required and therefore better land use.

Drive-through facilities play an important supportive role in helping achieve some of the goals established in the Customer Service Standard of the Accessibility for Ontarians with Disability Act, 2005 (AODA) and as contained in the Ontario regulation 429/07. Such regulation clearly dictates that persons with disabilities must be given an opportunity equal to that given to others to obtain, use and benefit from the goods or services.

In section 9.2.2.6 it is stated that High-Rise Mixed-Use areas are generally located in Intensification Areas. Such High-Rise Mixed-Use areas do permit retail uses and gas stations. Drive-through facilities are often an ancillary to these uses and should therefore also be permitted within Intensification Areas.

Item #3

5.2.3.4

This section states:

"(d) a mix of retail spaces is encouraged, including both larger format stores that can act as commercial anchors for the street and smaller stores and services that can create a diversity of retail experiences;"

As indicated earlier, it should be noted that drive-through facilities are often an ancillary service available at large and small format retail stores such as drug stores, food stores, banks, etc. Drive-through facilities also reduce the amount of required on-site parking spaces. These are some of the reasons why drive-through facilities should be permitted in the Intensification Areas.

5.2.3.7 (f) Drive-throughs

This section of the OP document states: "be oriented such that buildings are located close to the public street with direct pedestrian access from the public sidewalk"

This form of site layout may perhaps be possible for a restaurant or other retail non service station uses but in the case of a service station more flexibility is required. As a service station building is associated with fuel pump islands, there is a need to segregate the side of the building where the pump islands are located from the side of the building where a drive-through facility would be located. We disagree with the inclusion of this section within the OP. Such clause would

[&]quot;That the primary location for new retail uses shall be Intensification Areas"

need to be reworked to take into account the needs of service station site layouts. Such a revised clause would be better suited within the context of the Zoning By-law and/or Urban Design Guidelines as it is not warranted within the OP. Official Plans do not need to be prescriptive as Zoning By-laws.

Item #5

9.2 Land Use Designations and Permitted Buildings Types 9.2.2.4 (b)

This section of the OP document states: "The following uses shall be permitted in areas designated as Mid-Rise Mixed- Use, in addition to those uses permitted through policy 9.2.1.9:

- i. Residential units:
- ii. Home Occupations:
- iii. Community facilities;
- iv. Cultural uses, including commercial galleries and theatres; and,
- v. Retail uses subject to the policies of Section 5.2.3;
- vi. Office uses up to a maximum of 7,500 square metres;
- vii. Parking garage
- viii. Hotel: and.
- ix. Gas stations, subject to the following criteria:
 - A. the use is located on an arterial street as indicated on Schedule 9:
 - B. the use is limited to one gas station per intersection; and,
 - C. no gas stations shall be permitted at the intersection of two arterial streets as indicated on Schedule 9."

There doesn't appear to be any justification or rationale within the above subsection ix A, B and C to support these restrictions on gas stations and we oppose such restrictions. Gas stations sites are located by the member companies following company specific rigorous market research which include demographic studies and traffic studies. Gas stations are not road traffic generators but are located to provide a vital service to the existing passing-by traffic. We fail to understand why the draft OP is singling gas stations for such restrictions while other retail establishments are not subjected to similar restrictions.

Item # ix (B) specifically recommends limiting "one gas station per intersection". This would significantly restrict accessibility of the gas stations by the traveling public. Many of those gas stations are located on busy streets where driving across an incoming traffic would be impossible due to the road median or would create potential safety issues. To illustrate this point let's look at the example of one of the intersections within the City such as Hwy 7/Weston Rd. This intersection contains today one Petro-Canada gas station on the S/E corner and one Esso gas station on the N/W corner of this intersection. While these two busy gas stations each provide service to a different traffic pattern, a single gas station could not provide adequate and safe service for the total motor vehicle traffic at this intersection.

In addition to the above comments, there is a significant number of intersections today in the City where more than one gas station exist per intersection. It would be unacceptable for those gas stations to simply become "Legal Non-conforming".

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

Petro-Canada:

3733 Hwy 7/Weston Rd. 5260 Hwy 7/Kipling 5241 Hwy7/Kipling 8480 Hwy 27/Langstaff

Esso

3764 Hwy 7/Weston Rd.

Item ix (C) recommends that: "no gas stations shall be permitted at the intersection of two arterial streets as indicated on Schedule 9." This again does not appear to be supported by any sound planning rationales. Gas stations are often located at the intersection of two arterial streets in order to provide service to the two major motor vehicle traffic streams. Having gas stations located at the intersection of only one arterial street would require twice the number of gas stations in the town in order to serve the same amount of vehicular traffic.

In addition to the above comments, there is a significant number of intersections today in the City where existing gas stations are located at the intersection of two arterial streets. It would be unacceptable for those gas stations to simply become "Legal Non-conforming".

A few examples of those existing gas station presently located at the intersection of two arterial streets and which could potentially become "Legal Non-conforming" are as follows: :

Petro-Canada:

3733 Hwy 7/Weston Rd. 3680 Langstaff/Weston Rd. 9301 Hwy 50/Rutherford Rd. 8480 Hwy 27/Langstaff

Esso:

4515 Hwy 7/Pine Valley
7018 Islington/Steeles
3764 Hwy 7/Weston Rd.
3100 Major Mackenzie/Jane
8555 Keele/Langstaff
1500 Major Mackenzie/Dufferin

Shell:

7800 Jane/Hwv 7

Item #6

9.2.2.6 (b) High-Rise Mixed-Use

The same comments apply as in item # 5 above.

Item #7 9.2.2.7 (b) Commercial Mixed-Use The same comments apply as in item # 5 above

Item #8 9.2.2.10 (b) Prestige Employment The same comments apply as in item # 5 above

Item #9 9.2.3 Building Types and Development Criteria 9.2.3.9 (c) Gas Stations

This section of the OP document states: "Where a Gas Station contains a retail building greater than 100 square metres, the retail building shall front onto at least one public street, with no driveways or parking spaces located between the building and the public street."

Most modern gas stations are designed with a retail building greater than 100 square metres in order to accommodate the sale of products and services identified earlier in this document. Many of those gas station sites may often also include the convenience of having a drive-through facility. Having the retail building facing the street with no driveways or parking spaces located between the building and the public street makes it impossible for the gas station site to function. The gas pumps and the canopy need to be fronting the retail building to allow access for motorist customers and to allow the gas station attendant to supervise the pump islands. This requirement in the OP is unworkable. In addition, a detailed requirement along those lines is not warranted within the OP but rather should be included in a Zoning By-law or Urban Design Guidelines. CPPI has worked in recent months with other Ontario municipalities at resolving a similar issue at a mutual satisfaction and we would be pleased to share our experience and learning's with the City.

Item # 10 9.2.3.9 (d)

This section of the OP document states: "Where a Gas Station contains a car wash, the car wash shall generally be located to the rear of the site and setback a minimum of 30 metres from any Low-Rise Residential designation."

We are opposed to this arbitrary minimum setback of 30 metres which is unrealistic, unwarranted and not supported by any scientific or planning rationales. In addition, a detailed requirement along those lines is not warranted within the OP but rather should be included in a Zoning By-law or Urban Design Guidelines. CPPI has also worked in recent months with other Ontario municipalities at resolving a similar issue at a mutual satisfaction and we would be pleased to share our experience and learning's with the City.

Item # 11 Schedule 13 Land Use

We are concerned that the proposed land uses contained in this schedule doesn't appear to reflect current gas station uses. To illustrate this point is the example of the gas station located at 3100 Major MacKenzie/Jane (N/W corner) which according to this schedule 13 would now become part of a land designation identified as Major Institutional however such designation doesn't allow gas stations. We are opposed to having this and similar sites potentially becoming "Legal Non-conforming".

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

Sincerely,

Jean Roy P.Eng.

CPPI Ontario Division

Cc: Paul Robinson, Senior Policy Planner
Clement Chong, Policy Planner
Melissa Rossi, Policy Planner
Ted Radlak, Senior Policy Planner/Urban Design
Don Dussault, Imperial Oil
Vince Serratore, Suncor Energy Inc.

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Item 8 11 Schedule 13 Land Use

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Jean Roy P Eng. CPPI Onlario Division

7c. Paul Robinson, Senior Polic, Planner Diement Chong, Pulley Planner Melicéa Rossi, Paucy Planner Tod Radiak, Senior Policy Planner/Urban Design Don Dussault, Imperial Oil Vince Serators, Succor Energy Inc. Paul Park, Suncor Energy Inc.

Paul Robinson évaughan da Jiement Ghongdivoughan da Mallasa Rossigivaughan da Tad Rodlak (hivaughan da Jon Louaskult (kiepen da Kamalana (hann on oom



June 9, 2010

By E-mail to: ted.radlak@vaughan.ca

Mr. Ted Radlak Senior Policy Planner City of Vaughan Civic Centre Main Floor 2141 Major Mackenzie Drive Vaughan, ON L6A 1T1

Dear Ted:

Re: COMMITTEE OF THE WHOLE (WORKING SESSION) - JANUARY 25.2010

CITY OF VAUGHAN IMPROVEMENT AND POTENTIAL REGULATION OF DRIVE-

THROUGH FACILITIES FILE 15.109

Thanks for allowing me on behalf of the Canadian Petroleum Products Institute ("CPPI") the opportunity of attending the industry consultation meeting you had organized on the above topic last February 18. This gave us an appreciation of the City of Vaughan ("Vaughan") objectives and allowed our industry to share some of its views on this topic.

I am writing this letter on behalf of CPPI, Ontario Division regarding this topic. CPPI member companies include Shell, Suncor (Petro-Canada), Imperial Oil (Esso) and Ultramar. The majority of automobile service stations within Vaughan are owned by CPPI member companies. While CPPI members are competitors in the market place, the member companies work together under the CPPI umbrella on various issues which may be common to the industry. Since its creation in 1989, CPPI has represented the views of its membership on business, environmental, zoning, traffic access, parking requirements, tanker truck circulation and health and safety issues.

During the meeting I expressed some comments on the benefits of Drive-through Facilities and on the City plans for regulations for this type of facility. This letter is a summary of the comments I made at the meeting plus additional comments on some of the documents prepared by Vaughan on this subject. While I apologize for the length of this letter, I trust these comments will be helpful to your current exercise concerning the revisions of the Zoning By-law and the Drive-through Facilities Guidelines.

CPPI has a genuine interest in ensuring that its member stations have facility design standards in place which ensure that their retail petroleum services, including Drive-through Facilities, are safe and viable while meeting the customer needs and also being compatible with the needs of the community.

1 - CPPI General Comments:

Benefits of Drive-through Facilities:

Please let me reiterate the fact that Drive-through Facilities have their place as they provide a useful service to the population. There is a significant Canadian market trend of increased popularity for Drive-through Facilities for various uses such as quick service restaurant, banks, pharmacies, supermarkets, etc.

In order to provide a balanced view regarding the use of Drive-through Facilities I would like to start by stressing that the increasing popularity of Drive-through Facilities is a testimony of their usefulness at meeting the community needs.

Some of the main benefits of Drive-through Facilities can be summarized as follows:

- Added convenience for persons with disabilities and families traveling with small children.
- Customer protection from inclement weather.
- Convenience and time saving for customers in a hurry.
- Customer and operator safety after dark or late at night.

In addition to these benefits, this also allows that:

- · Buildings can be smaller and require less space for seating area.
- Less energy is required for a smaller building.
- Less parking area may be required and therefore better land use.

Drive-through Facilities play an important supportive role in helping achieve some of the goals established in the Customer Service Standard of the Accessibility for Ontarians with Disability Act, 2005 (AODA) and as contained in the Ontario provincial regulation 429/07. Such regulation clearly dictates that persons with disabilities must be given an opportunity equal to that given to others to obtain, use and benefit from the goods or services. Vaughan may want to test this item with its Accessibility Advisory Committee.

Background history on municipal issue (real or perceived) related Drive-through Facilities:

The topic of Drive-through Facilities has been a hot topic for a number of municipalities of the Toronto GTA during the past few years. This hot topic was first initiated in October 2002 when City of Toronto enacted a series of By-laws and Zoning code amendments (776-2002 to 811-202) relating to the regulation of Drive-through Facilities across the new amalgamated City of Toronto. On January 23, 2004 Ontario Municipal Board ("OMB") decision # 0154 (OMB file PL021072) upheld Toronto Zoning By-law Amendments on Drive-through Facilities. These final Zoning By-law Amendments were arrived at in 2004 following a much publicized single and unique Drive-through Facility situation within the core of the old City of Toronto. The passing of time and experience have since then demonstrated that such a Zoning By-law needs to provide some flexibility. It should be noted for example that the initial requirement of 30m setback from residential zones in the City of Toronto, as approved by this OMB decision in 2004, has already been reduced at Toronto Committee of Adjustments and/or OMB for a number of Drive-through Facility projects. A few examples are listed further in this document.

2004 Ontario Municipal Board Ruling:

As indicated earlier, one of the key drivers for the 30-metre setback restriction was the 2004 OMB ruling. This <u>famous</u> 2004 OMB appeal decision on the topic of Drive-through won by the City of Toronto included the 30-metre separation between Drive-through and residential zones.

To place this 2004 OMB decision in the right context we have to remember that the exercise took place in relation to a proposed Drive-through Facility within the core of old City of Toronto, all this while Toronto was going through its amalgamation process.

Important quotes from sections of the 2004 OMB decision clearly indicate that:

- "The Board finds that what is appropriate for the former City of Toronto, York and East York, the Centres and certain Avenues may not be appropriate in other areas of the City, in particular the "outlying" areas of Etobicoke, Scarborough and North York. Accordingly, the Board fully expects that there will be applications seeking amendments to the applicable Bylaw to permit drive-through uses and, based on an evaluation of the location in question, site specific exceptions will be made."
- "separation distances <u>less</u> than 30 metres can also be evaluated in the context of existing site conditions".
- "The Board anticipates that new By-laws will, over time, need to be established to recognize the diversity of the amalgamated City. In this regard, following the completion of Phase II of the drive-through process, changes to the drive-through By-laws could be made to reflect this diversity, resulting in refinements that will narrow the scope of the application of the By-laws and provide greater flexibility for industry and ultimately, reduce the number of site specific zoning amendment applications."

The City of Toronto is still in the process of consolidating the Zoning By-laws of the six original municipalities and is still working on some Draft Guidelines for Sites with Drive-through Facilities but in the interim as indicated above, other OMB decisions or Committee of Adjustment have been made for example within the areas of North York and Scarborough allowing distance less than 30 metres between Drive-through and residential. To state a few:

- a) March 2, 2005, 1641 Markham Rd/Sheppard, Toronto: **30m** setback reduced to **19m**. (Committee of Adjustment Minor Variance File No.: A021105SC)
- b) December 22, 2008, 515 Drewry/Bathurst, Toronto: 30m setback reduced to 23m (OMB file # PL080885)

2 - CPPI Comments Specific to the Various Sections of Vaughan reports:

We are aware of the Vaughan Staff report presented at the January 25, 2010 Committee of the Whole (working session) including the Draft Design Guidelines for Drive-through Facilities. In order to provide for some productive dialogue we need to start by bringing to your attention the fact that the current reports contain information which appears to be somewhat inaccurate, incomplete or bias against Drive-through Facilities.

COMMITTEE OF THE WHOLE (WORKING SESSION) - JANUARY 25.2010 Contribution to Sustainability:

The report states: "A reduction in site paving which is needed to support the drive-through function and other car dependent uses may also help to reduce the urban heat island effect and increase ground water penetration."

CPPI response:

Contrary to this comment and as indicated above, one of the benefits of Drive-through Facilities is to allow for a reduced number of required parking spaces while still maintaining customer service and site financial viability. This has already been recognized for example by the City of Ottawa in its recent 2008 new Comprehensive Zoning By-law which has a requirement for 20% less parking spaces at a restaurant if such restaurant contains a Drive-through Facility.

Section # 101 (6) of the 2008 approved Ottawa comprehensive Zoning Bylaw states:

"Despite subsection (1), where a restaurant use operates in combination with a drive-through facility, the parking required by Table 101 for that land use may be reduced by 20% and where any other use operates in combination with a drive-through facility, the parking required by Table 101 for that land use may be reduced by 10%. (OMB Order, File #PL080959 issued December 4, 2009)"

http://www.ottawa.ca/residents/bylaw/a z/zoning/parts/pt 04/index en-02.html

Background - Analysis of Current Conditions:

The City of Vaughan report states: "Drive-throughs not only have site specific ramifications such as litter, odour and noise that can have a negative impact on adjacent residential areas, but given their proliferation, these facilities promote car-dependence that is linked to **urban sprawl**."

CPPI response:

The report fails to clarify how Drive-through Facilities generate **litter**. Littering and waste unfortunately abound across many municipalities but littering is not caused by Drive-through Facilities but by people (pedestrians and drivers). If someone chooses to unfortunately litter by throwing its coffee cup or water bottle in the environment, it isn't caused by the fact the purchase was made at a Drive-through or not. Such a purchase could just as well have been made from inside a restaurant, convenience store, vending machine, etc.

Regarding the topic of **odour**, the perception that Drive-through Facilities generate odour beyond any existing adjacent uses and/or existing ambient odour is unfounded. A Drive-through Facility doesn't generate any more odour than a parking lot.

On the topic of **noise**, service stations with Drive-through Facilities are not developed in quiet areas but, as stated above and by definition, their development typically takes place at existing major street intersections carrying large amounts of motor vehicle traffic where the ambient noise and light level is generally greater than the noise or light level which may be generated by a Drive-through Facility.

Regarding the topic of car-dependence and **urban sprawl**: It is not the Drive-through which promotes these but rather the design of the urban fabric. The Drive-through is merely there to provide a needed service to the population just as are roads and highways. The Drive-through is not the cause of the urban sprawl but rather a consequence of the urban sprawl. If there was no urban sprawl the need for Drive-through would be much reduced or wouldn't exist. This can be observed in the urban core of cities such as downtown Toronto, downtown Ottawa, etc, where quick service restaurants do not need to build a Drive-through in order to provide service the customers.

The report states: Vaughan currently has 80 drive-through facilities primarily associated with convenience eating establishments or banks, the highest number per capita in the Greater Toronto Area.

CPPI response:

This should not be a surprise as it is a consequence to the large geographic area and low population density in Vaughan. The design and layout of the urban fabric in Vaughan makes the population much more car dependant than in some of the other municipalities listed in the report. The Drive-through did not create the Vaughan urban sprawl but is merely there to service the population which has to cope with this situation.

Ontario Municipal Board Ruling

The report states in the first paragraph: "controls have enabled municipalities to somewhat manage and reduce the development of drive-throughs".

The report goes on to state in the fourth paragraph a portion of the 2004 OMB ruling: "While treating drive-throughs as accessory uses to permitted uses has generally been a satisfactory approach to date, it is clearly within the purview of Council to determine that the increase in the number of applications for drive-through facilities necessitates that the land use be defined..."

CPPI response:

We have to look at the <u>complete</u> 2004 OMB ruling document to understand that as indicated in the CPPI general comments above, the Board found that what may have been appropriate for the former City of Toronto, York and East York, the Centres and certain Avenues <u>may not have been appropriate in other areas of the City, in particular the "outlying" areas of Etobicoke, Scarborough and North York due to the difference in the density of the <u>urban fabric</u>.</u>

Other Municipalities

The report states: "Several GTA municipalities are responding to the proliferation of the drive-through facilities through the imposition of new statutory regulations andlor design guidelines to mitigate the effects of drive-through development, notably Toronto, Mississauga, Brampton, Markham and Oakville."

CPPI response:

It is true that many municipalities are presently examining the use of Drive-through Facilities but for many of the municipalities mentioned above, it is still work in progress and CPPI has actively been working with all those municipalities on this subject. For examples:

- Toronto has published <u>draft</u> Design Guidelines for Drive-Through Facilities but these have not been finalized nor adopted by Council. CPPI has submitted feedback comments to Toronto regarding such draft document.
- Brampton and Markham are still working on Drive-through Guidelines with the cooperation of CPPI and have not yet finalized their work in this area.
- Oakville passed the new Zoning By-law # 2010-047 on May 10, 2010 which includes a 15 metre setback for Drive-through Facilities from residential zones. CPPI has participated with Oakville on many workshop and meetings on this subject. This Bylaw is still not in effect yet as it has now been appealed at the Ontario Municipal Board.

The report states: "Table 1 chart summarizes how a number of comparable cities in the Greater Toronto Area are addressing the drive-through issue."

CPPI response:

Some of this information contained in this table is not accurate as indicated in our following comments:

Toronto: The consolidation of the one citywide By-law has not yet been finalized and is still in progress as part of the New Comprehensive Zoning By-law. CPPI has provided comments and input to City of Toronto on this subject. The Design Guidelines are still in draft form, and CPPI has been providing comments and input on same.

Markham: Guidelines are still work in progress and up to now CPPI has been participating with the Town in the process.

Oakville: At the May 10, 2019 Oakville P & D Council meeting, the Zoning By-law amendment # 2010-047 was approved for a 15 metre setback. CPPI has been participating with the Town in the process.

Caledon: Contrary to the information contained in this Table 1 of the report, the Design Guidelines have <u>not</u> been finalized. The Town held a Public Information Meeting (PIM) for the draft Drive-through Facility policies on May 19, 2010. At this meeting the members of Council recognized that the 90 metres setback idea which had been suggested some time ago was quite excessive and didn't make sense. Council requested at this meeting that Staff organize an internal workshop to study this matter further and come up with more reasonable recommendations to be submitted a subsequent Council meeting. CPPI has been participating with the Town in the process.

Mississauga: Contrary to the information contained in this Table 1 of the report, the 60 metre restriction to residential zones does <u>not</u> apply to the Mississauga Drive-through Facility but to a restaurant building as per section 2.1.2.1 of the Mississauga Zoning By-law. The Mississauga Zoning By-law contains <u>no</u> specific distance restriction for Drive-through Facilities. However following significant stakeholder consultations, Mississauga Planning Staff proposed in 2007 Design Guidelines for Drive-through Facilities containing a minimum setback of 20 metres from residential zone. These Design Guidelines were approved by Mississauga Planning and Development Committee on January 14, 2008 and Council on January 30, 2008 and can be found at the end of the document on the attached Weblink: http://www5.mississauga.ca/agendas/planning/2008/01 14 08/Item02DriveThruRpt.pdf

Ottawa: The report fails to mention the City of Ottawa. The City of Ottawa Zoning By-law (# 2008-250, Part 4, Section 112 (3)) dictates for Drive-through Facilities a 3 metre setback from residential zone.

http://www.ottawa.ca/residents/bylaw/a z/zoning/parts/pt 04/index en-13.html

The Urban Design Guidelines for Drive-through Facilities, as approved by Ottawa City Council on May 24, 2006, recommend in guideline # 32 a minimum 3 metre wide landscape area which may include a solid wall or fence in addition to planting, at the edge of sites that are adjacent to residential properties.

http://www.ottawa.ca/residents/planning/design_plan_guidelines/completed/drive_through/in_dex_en.html

None of the above municipal regulations or guidelines are perfect but they represent honest attempts made at different points in time, at creating reasonable set of conditions to meet the needs of the stakeholders.

Official Plan Policies

The report states: "In order to better manage the location and proliferation of drive-throughs, policies need to be incorporated into the New Official Plan that support the implementing Zoning By-law regulations and Design Guidelines proposed by and attached to this report:"

CPPI response:

Having the Official Plan include rules to control Drive-through Facilities is unwarranted as Official Plans do not need to be prescriptive like Zoning By-laws. The appropriate approach for controlling Drive-through Facilities is through the Zoning By-law and/or Design Guidelines and not in the Official Plan. CPPI has already submitted comments to Vaughan on the current Draft Official Plan in a letter dated June 7, 2010.

Table 2. City of Vaughan Current and Proposed By-Law Standards Proposed By-Law Standards for Drive-Through Facilities

This table 2 in the report states: "c) All points of a drive-through facility including stacking lanes associated with a Convenience Eating Establishment or Banking Establishment shall be set back a minimum of 30 metres from any residential zone;"

CPPI response:

The proposed 30 metre setback for the Drive-through Facility including the stacking lane is excessive and doesn't appear to be based on any scientific and/or planning basis. The main issue or concern may be with the distance from the intercom ordering station to residential zone and the setback distance should focus on such intercom ordering station. The rest of the yard containing a Drive-through stacking lane for example is not much different from a commercial parking lot or the yard of an automobile service station. There are many public roadways which carry more than 50,000 to 80,000 vehicles per day which also abut residential zones so the general area of a Drive-through stacking lane which may carry 500 to 800 vehicles per day should hardly be of such a concern. Each site also has unique characteristics and further reductions to any pre-established setback should be considered on a case by case basis upon the City's review and acceptance of mitigation measures identified by a noise study prepared by a qualified noise consultant.

This table 2 in the report states: "d) No portion of a drive-though facility including stacking lane, drive aisle, pick up station associated with a Convenience Eating Establishment or Banking Establishment shall be located between the building and a public street."

CPPI response:

This form of site layout may perhaps be occasionally possible for a quick service restaurant or other retail non-service station use but in the case of a service station more flexibility is required. As a service station building is associated with fuel pump islands, there is a need to segregate the side of the building where the pump islands are located from the side of the building where a Drive-through Facility would be located. Considering the desire identified in the Draft Official Plan for retail buildings to be located closer to public streets, such clause would need to be reworked to take into account the needs of service station site layouts. To

facilitate the understanding and to illustrate some workable alternatives we have included in Appendix 1 and 2 of this document two examples of recently built service station sites in the Toronto GTA where there is a Drive-through stacking lane is located between the building and the street while still allowing pedestrian access from the public sidewalk to the store.

This table 2 in the report states: "g) Drive-throughs shall be restricted on lands in the areas identified on the Proposed Drive-through Restriction Area Map, Attachment 3, (subject to amendment)"

CPPI response:

There doesn't appear to be any explanation or valid planning justification as to why singling Drive-through Facilities for such restrictions while other type of retail facilities are not subjected to similar restrictions. As indicated earlier, Drive-through Facilities are a legal use and perform a useful service to the community. Many of the proposed restricted areas identified in Attachment 3 are high vehicular traffic areas located on arterial streets. Drive-through Facilities do not generate the traffic on such arterial streets but merely provide a service to the existing passing traffic.

Design Guidelines for Drive-through Facilities

CPPI response:

We have reviewed the draft guidelines which contain many issues in our opinion. It would be too long to address in this letter all the issues which span from a clear bias against Drive-through Facilities to the lack of consideration for Drive-through Facilities at service station sites. We would welcome an opportunity to discuss these issues in a meeting with City Staff. We've had an opportunity to have similar meetings with other municipalities and those meetings have proven to be very successful in addressing and resolving mutual concerns.

We understand that further consultation and review time will take place for the actual proposed Zoning By-law and Design Guidelines for Drive-through Facilities and we will be pleased to participate with Planning Staff on any future consultations for those items.

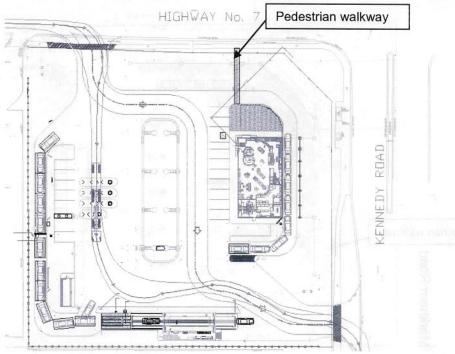
Sincerely,

Jean Roy P.Eng.
CPPI Ontario Division

Diana Birchall, Director of Policy Planning & Urban Design, diana.birchall@vaughan.ca
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Appendix 1 Petro-Canada Hwy 7/ Kennedy, Markham

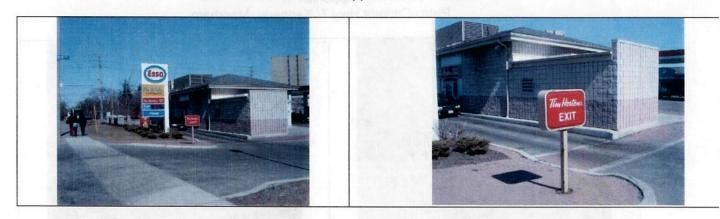




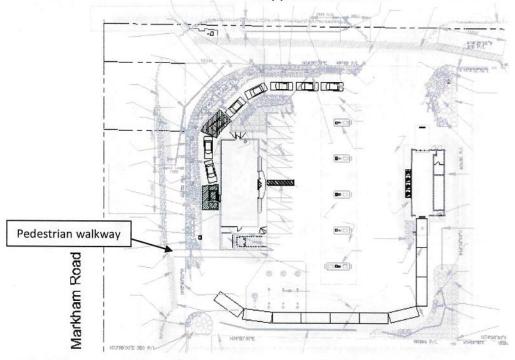


Appendix 2

Esso - Markham Rd./Sheppard Ave., Toronto



Sheppard Avenue East









July 5, 2010

By E-mail to: Mauro.Peverini@vaughan.ca

Mr. Mauro Peverini Manager of Development Planning City of Vaughan Civic Centre Main Floor 2141 Major Mackenzie Drive Vaughan, ON L6A 1T1

Dear Mauro:

Re: File number OP.25.1 Vaughan's New Official Plan and Secondary Plan

Thank you for taking the time to meet with Don Dussault (Imperial Oil), Paul Park (Petro-Canada), Michael Liptrot (Suncor), Diana Birchall and me on June 24, 2010 to discuss the issues raised by the Canadian Petroleum Products Institute (CPPI) in its June 7, 2010 letter to the City of Vaughan regarding the above tropic.

CPPI has a genuine interest in ensuring that its member stations are safe and viable while meeting the customer needs and also being compatible with the needs of the community. As we indicated at this meeting, CPPI and its members remain very concerned with certain requirements of the proposed Vaughan New Official Plan.

Based on the feedback we received at the meeting, there appears to be some misunderstanding within the City Staff and/or Political Officers about the usefulness of the service stations within the City of Vaughan (Vaughan). I would like to take this opportunity to reiterate that service stations provide a vital service to the population. Contrary to the belief heard at the meeting, the current number of service stations within Vaughan is quite in proportion with the market demand. There is a need here to differentiate between perception and facts.

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

Municipality	Number of service stations	Average annual throughput per service station (kl)
Vaughan	57	8129
Markham/R.Hill/W.Stouffville	64	8060
Brampton	71	7103
Mississauga	121	6833
Newmarket	21	6690

The above information demonstrating a higher average throughput per service station in Vaughan means that there aren't too many service stations in comparison to other municipalities. We continue to solicit your cooperation in taking into consideration the items identified in our June 7, 2010 letter.

Sincerely,

Jean Roy P.Eng.

CPPI Ontario Division

Diana Birchall, Director of Policy Planning Cc: Ted Radlak, Senior Policy Planner/Urban Design

Don Dussault, Imperial Oil

Vince Serratore, Suncor Energy Inc. vserratore@suncor.com

Diana.Birchall@vaughan.ca Ted.Radlak@vaughan.ca don.l.dussault@esso.ca Paul Park, Suncor Energy Inc. ppark@suncor.com



By E-mail to: <u>clerks@vaughan.ca</u>

jeffrey.abrams@vaughan.ca

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

Dear Mr. Abrams:

Re: File number OP.25.1 Vaughan's New Official Plan Review July 28, 2010 Committee of the Whole

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

This letter is a follow up to our letters to the City dated June 7, 2010 and July 5, 2007.

We are pleased to have had the opportunity to meet and discuss our issues and concerns with City Staff ("Staff") on June 24, 2010. We welcome some the proposed revisions to the new Official Plan as indicated in the Staff report being submitted to the City Committee of the Whole on July 28, 2010. However many issues still remain for our industry in this proposed revised new Official Plan document and we wish to have those issues properly addressed prior to the final approval by Council on September 7, 2010.

Item #1

The July 28, 2010 Staff report states:

"Under the section "Supporting and Transforming the Retail Sector" the following changes be made to Policy 5.2.3.7 by deleting the second sentence and replacing with:

In addition to and in recognition of Intensification Areas and Heritage Conservation Districts which are already subject to a prohibition of drive-through facilities, it is intended that the prohibition shall also pertain to all Intensification Areas except Primary Intensification Corridors that are not Regional Corridors as identified on Schedule 1."

CPPI comments:

We welcome the removal of the prohibition of drive-through facilities in Primary Intensification Corridors (Steeles Ave. /Rutherford Rd. /Major Mackenzie Dr. /Jane St.) however we object to the exclusion of Regional Corridors (Hwy 7 / Centre St. / Yonge St. / Bathurst St.). For example the Primary Intensification Corridor contained within the Regional Corridor of Hwy 7 will remain a heavily travelled motor vehicle corridor and the prohibition of drive-through facilities from this area should be removed.

Item #2

- 9.2 Land Use Designations and Permitted Buildings Types
- 9.2.2.4 (b) Mid-Rise Mixed-Use.
- 9.2.2.6 (b) High-Rise Mixed-Use
- 9.2.2.7 (b) Commercial Mixed-Use
- 9.2.2.10 (b) Prestige Employment

These sections of the OP document state that various uses shall be permitted in areas designated above such as for example:

- 1) Retail uses
- 2) Office uses
- 3) Parking garage
- 4) Hotel; and,
- 5) Gas stations, subject to the following criteria:
 - A. the use is located on an arterial street as indicated on Schedule 9;
 - B. the use is limited to one gas station per intersection; and.
 - C. no gas stations shall be permitted at the intersection of two arterial streets as indicated on Schedule 9."

CPPI comments:

There doesn't appear to be any justification or rationale within the above subsection 5) B and C to support these restrictions on gas stations alone and we are opposed to such restrictions. We fail to understand why the draft OP is singling gas stations for such restrictions while other retail establishments are not subjected to similar restrictions. For example such restrictions would not apply to quick service restaurants or other types of retail establishments including supermarkets, parking garages, etc.

Item #3

The July 28, 2010 Staff report states:

"Existing gasoline stations and retail businesses with drive-through facilities will be permitted to remain as legal non-compliant under the new Official Plan."

CPPI comments:

A "legal non-compliant" designation would create a prejudice preventing such sites from being upgraded, modified or rebuilt as required from time to time. A more appropriate approach would be to state: "Gasoline stations and retail businesses with drive-through facilities existing at the time this new Official Plan comes into effect will continue to be permitted under the new Official Plan."

Item #4 Schedule 13 Land Use

We are concerned that the proposed land uses contained in this schedule doesn't appear to reflect current gas station uses. To illustrate this point is the example of the gas station located at 3100 Major MacKenzie/Jane (N/W corner) which according to this schedule 13 would now become part of a land designation identified as Major Institutional however such designation doesn't allow gas stations. We are opposed to having this and similar sites potentially becoming "Legal non-compliant". We recommend that gasoline stations existing at the time this new Official Plan comes into effect continue to be permitted under the new Official Plan.

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

Sincerely,

Jean Roy P.Eng.

CPPI Ontario Division

Cc: John Zipay, Commissioner of Planning

Diana Birchall, Director of Policy Planning & Urban Design, diana.birchall@vaughan.ca

Mauro Peverini, Manager of Development Planning

Clement Chong, Policy Planner Melissa Rossi, Policy Planner

Ted Radlak, Senior Policy Planner/Urban Design

Don Dussault, Imperial Oil

Dominique Ménard, Shell Canada

Vince Serratore, Suncor Energy Inc.

Paul Park, Suncor Energy Inc.

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

October 26, 2010

TODD TRUDELLE BA

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TEL: (416) 322-6364

EXT 2103

Mr. Augustine Ko, MCIP, RPP Senior Planner Planning Department Regional Municipality of York 17250 Yonge Street Newmarket, ON, L3Y 6Z1

RE: City of Vaughan Official Plan as Adopted by By-law 235-2010 City File No. OP.25.1 Imperial Oil Ltd.

Goldberg Group was retained by Imperial Oil Limited (IOL) to review the City of Vaughan Draft Official Plan (Draft OP) prior to adoption and provide commentary on general policies affecting gas stations as well as site specific policies as they pertain to fourteen (14) IOL sites throughout Vaughan.

Correspondence of August 27, 2010 (attached) was provided to the City of Vaughan as well as to the Region of York summarizing IOL's concerns on an overall policy basis as well as site specific concerns arising from the proposed land use plans and policies of the Draft OP.

The adopted OP has not satisfactorily addressed concerns relating to locational restrictions on gas stations, locational restrictions on drive-through facilities, land use designations that appropriately recognize existing stations, and urban design requirements applicable to gas stations.

In summary, the policies of the OP do not clearly identify the majority of existing IOL gas stations as permitted; proposed land use designations, existing site layouts, or the presence of drive-through facilities make each site non-compliant with the overall policies. As a result of the adopted policies, the majority of the IOL sites will become legal non-conforming uses that may be subject to restrictions and limitations to future site improvement and development. Notwithstanding Policy 10.2.1.3, there remains concern that limitations on improvements and replacement will be impacted without proper recognition of existing gas station sites.

The Region of York is the approving authority of the Vaughan OP. We request notification of any meetings and/or any reports to Regional Committees or Regional Council respecting the Vaughan OP. We would also like the opportunity to meet with the Region to discuss the implications of the Vaughan OP on IOL sites and the general policies that seek to restrict the location of gas stations as well as drive-through facilities.

To arrange a meeting to discuss this further or if you require any additional information, please contact me.

Sincerely

GOLDBERG GROUP

Todd Trudelle

cc. M. Peverini, Manager of Development Planning, City of Vaughan

D. Dussault, Imperial Oil Ltd.

J. Abrams, Clerk's Department, City of Vaughan

J. Roy, CPPI Ontario Division Region of York Clerk's Department GOLDBERG GROUP LAND USE PLANNING AND DEVELOPMENT 2171 AVENUE ROAD, SUITE 301, TORONTO, ONTARIO M5M 4B4 TEL: 416-322-6364 FAX: 416-932-9327



August 27, 2010

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EXT. 210-2

Mayor and Members of Council City of Vaughan 2141 Major Mackenzie Drive Vaughan, ON, L6A 1T1

RE: City of Vaughan Draft Official Plan File No. OP.25.1

Goldberg Group has been retained by Imperial Oil Limited (IOL) to review the Draft Official Plan (Draft OP) policies affecting gas stations as well as site specific policies as they pertain to fourteen (14) IOL sites throughout Vaughan. Thirteen of these sites are existing operating sites and one is being considered for a new Esso facility.

The attached map illustrates the general locations of the sites subject to this review. The numbered reference on the map corresponds with the set of corresponding maps that sets out in more detail, the location, address, and proposed Urban Structure and Land Use designations from Schedules 1 and 13 of the Draft OP.

GENERAL POLICIES

The Canadian Petroleum Products Industry (CPPI) who have appeared before Council and provided correspondence on policies affecting all gas companies has represented IOL in part regarding the general policies of the Draft OP. CPPI correspondence of July 5, July 7 and July 27, 2010 provide a synopsis of the concerns mirrored by IOL. Specifically, the following policies will affect future gas stations and may affect existing stations when replacement of existing facilities is required:

Section 5.2.3 Supporting and Transforming the Retail Sector

Subsection 5.2.3.7

"Drive-throughs are a complement to general retail activity and should only be located such that the use does not adversely affect the goals of pedestrianization, attractive streetscapes, transit supportiveness, or have an adverse impact on residential neighbourhoods. Drive-through facilities shall not be permitted in **Intensification Areas** and Heritage Conservation Districts. Where permitted, drive-through uses shall achieve the following urban design objectives:

- a. provide for pedestrian safety, scale and comfort;
- b. be buffered from adjacent uses or the public street through appropriate landscaping;
- c. complement other surrounding uses;
- d. be compatible with existing and planned uses in the surrounding area;
- e. contribute to attractive streetscapes, views and sightlines;
- f. be oriented such that buildings are located close to the public street with direct pedestrian access from the public sidewalk; and,
- g. be separated from sensitive uses such as schools and residential areas with appropriate setbacks.

The July 28, 2010 Staff Report presented to the Committee of the Whole identifies a modification to this policy to exempt the drive-through prohibitions as it relates to "Primary Intensification Corridors that are not Regional Corridors." As commented on by CPPI in their July 27, 2010 correspondence, the application of this drive-through prohibition to Regional Corridors is objectionable as the Primary Intensification Corridor of Schedule 1 – Urban Structure corresponds for the most part with the Regional Corridors of the York Region OP. Highway 7 will remain a heavily traveled commuter and business route and the prohibition of drive-throughs along this corridor will eliminate a type of service catering to the traveling public.

Gas Stations serve the traveling public; are typically not destination facilities; and, they rely on high traffic volumes typically found on major corridors, especially Regional Corridors (Highway 7, Centre Street, Yonge Street and a section of Bathurst Street as identified in the Region of York Official Plan (December 2009)).

Policy 4.4.4 (Planning for Retail) of the York Region OP states:

"To direct a significant amount of mixed-uses, including street-related retail, to Regional Centres and Corridors."

This policy supports the location of street related retail uses along Regional Corridors. Within Subsection 5.4 (Regional Centres and Corridors) of the Region of York OP there are no policies that would prohibit drive-throughs along Regional Corridors.

IOL currently has four operating sites designated as Regional Corridor in the Region of York Official Plan with a corresponding Primary Intensification Corridor proposed within the Vaughan OP.

Section 9.1.2 Urban Design and Built Form

Subsections 9.1.2.4 and 9.1.2.5 as they relate to *Intensification Areas* and urban design policies relating to building placement, driveway and parking location, and providing direct pedestrian access from the sidewalk to building entrances are often policies that cannot be incorporated in gas station design. Gas stations require the gas pumps to be visible to the operator within the store. This requires that storage areas, offices, washrooms and walk-in coolers to be located on the opposite wall to the operator within the store. Placement of the

building adjacent to the street will require, for the most part, the provision of a solid wall, or that outfitted with spandrel glass, to be adjacent to the street.

An existing drive-through and/or the addition of a drive-through to a gas station conflicts with the desired municipal urban design as the drive through would typically be located between the building and the street. The application of one set of drive-through policies to all retail drive-throughs does not recognize the unique situation and safety measures required by gas stations. A separate set of urban design guidelines applicable to gas station sites needs to be recognized and implemented through the Official Plan policies being considered. Alternatively, an exemption from these policies for gas stations should be applied and policies established to deal with gas stations on a site by site basis.

Section 9.2 Land Use Designations and Permitted Building Types

Subsection 9.2.2.2 – Low Rise Mixed-Use designation does not include Gas Station as a permitted use, rather just "retail uses" subject to the policies of 5.2.3

IOL operates two sites (Major Mackenzie Drive & Dufferin Street and Highway 27 & Langstaff Road) within the proposed Low Rise Mixed Use designation. The policies relating to this designation do not recognize a gas station as a permitted use. We would request that either a gas station be identified as a permitted use, the site be designated Commercial Mixed Use, or site specific policies be added to recognize these facilities.

As a result of the proposed Low Rise mixed Use designation, these sites would become legal non-conforming and prejudice the future upgrading of these facilities in the future.

Subsection 9.2.2.4 Mid-Rise Mixed-Use permits

b)ix. Gas Stations, subject to the following criteria:

- A the use is located on an arterial street as indicated on Schedule 9;
- B. the use is limited to one gas station per intersection; and,
- C. no gas stations shall be permitted at the intersection of two arterial streets as indicated on Schedule 9.

Subsection 9.2.2.6 High-Rise Mixed-Use permits:

b)v. Gas Stations, subject to the following criteria:

- A. the use is located on an arterial street as indicated on Schedule 9;
- B. the use is limited to one gas station per intersection; and,
- C. no gas stations shall be permitted at the intersection of two arterial streets as indicated on Schedule 9.

Subsection 9.2.2.7 Commercial Mixed-Use

b)iv. Gas Stations, subject to the following criteria:

- A. the use is located on an arterial street as indicated on Schedule 9;
- B. the use is limited to one gas station per intersection; and,
- C. no gas stations shall be permitted at the intersection of two arterial streets as indicated on Schedule 9.

Subsection 9.2.2.10 Prestige Employment permits:

- c)v. Gas Stations, subject to the following criteria:
 - A. the use is located on an arterial street as indicated on Schedule 9;
 - B. the use is limited to one gas station per intersection; and,
 - C. no gas stations shall be permitted at the intersection of two arterial streets as indicated on Schedule 9.

Subsections 9.2.2.4, 9.2.2.6, 9.2.2.7 and 9.2.2.10 implement limitations on the number of gas stations per intersection and also restrict the location to certain types of intersections.

The requirement for a gas station to be located on an arterial street is not disputed and is supported from an industry perspective as gas stations typically rely on the higher volumes of traffic on arterial roads for determining their location. It is policies B and C above that are objectionable.

Policy B intends on restricting the number of gas stations at an intersection to one. This policy does not appear to be supported by any background studies and is limited strictly to gas stations. This policy would not prevent four identical retail uses with or without drive-through facilities from locating on each corner and the applicability to only gas stations is prejudicial. In addition, centre medians to restrict left turns from arterial and collector roads are often in place or are a requirement of gas station developments to limit turning movement to right-in/right-out movements. By restricting the number of stations to one at an intersection only two directions of traffic can be served efficiently by a gas station. Additional left turns and illegal u-turns may result with the provision of only one gas station at an intersection. Having two gas stations at an intersection, typically kitty-corner to one another provides all four directions with right-in/right-out access opportunities, maintaining traffic flows in a more efficient and safe manner.

The inclusion of this restriction is prejudicial to gas stations and should be removed in order to promote efficient and safe operations of the road network and associated intersections.

Policy C will restrict gas stations from locating at the intersection of two arterial roads. Again, this policy does not appear to be supported by any rational or supporting documentation leading up to the inclusion of this policy. The Region of York has no such restriction in place for arterial road intersections, most of which are under the Region's jurisdiction throughout Vaughan. The singling out of gas stations over any other retail use or retail use with a drive through is prejudicial and without merit. Gas stations are not destination oriented and rely on the existing traffic for virtually all of its business. Seven of the thirteen IOL operating sites and the single potential future site are located at the intersection of two major arterial roads. This raises the following questions:

- Will these sites be treated as legal non-conforming sites even though the land use designation from Schedule 13 permits the use?
- When a site is ready for upgrading, will an Official Plan Amendment be required to amend this policy to allow an existing use to continue?
- Will there be building permit issuance ramifications because a site at the intersection of two arterials will not conform to Policy C?

We would ask that approval of these policies, as they relate to the IOL sites described herein, be deferred until a more thorough examination of the ramifications of these policies can be undertaken by all departments affected by these policies in consultation with CPPI and IOL.

Section 9.2.3 Building Types and Development Criteria

Subsection 9.2.3.9 Gas Stations

"The following policies and development criteria apply to Gas Stations:

- a. Gas Stations are facilities primarily for the sale of gasoline and other fuels. They are characterized by a covered "gas bar" with pumps and associated retail component. Car wash facilities are permitted as part of Gas Stations. Automobile repair and service facilities are only permitted as part of a Gas Station if located in an **Employment Area**.
- b. Extensive landscaping and buffering shall be provided along public street frontages and along property lines.
- c. Where a Gas Station contains a retail building greater than 100 square metres, the retail building shall front onto at least one public street, with no driveways or parking spaces between the building and the public street.
- d. Where a Gas Station contains a car wash, the car wash shall generally be located to the rear of the site and setback a minimum of 30 metres from any **Low-Rise Residential** designation.
- e. Surface parking shall be setback from any property line by a minimum of three metres and appropriately screened by landscaping.

Sub-policies c and d above provide excessive limitations on how a gas station site is designed. As described previously there are Technical Safety and Standards Association (TSSA) regulations applicable to gas stations that require certain minimum or maximum distance separations and required view lines to be met between the operator and the gas pumps. A typical 'On the Run' facility is approximately 225 to 300 square metres in size and would include an area for the operator, retail section and partner area as well as washrooms, office, mechanical rooms, storage and walk-in cooler areas. All of these space constraints and TSSA requirements limit the flexibility in building location and design.

While a gas station retail component could typically be located along a public street, the façade presented to the street will be a solid wall, something the Draft OP seeks to avoid. With the addition of a drive-through, it is typically only feasible to be located on the rear of the building resulting in a driveway situation that is located between the building and the public street, again a situation the OP is trying to eliminate.

The requirement for the car wash to be located at the rear of the property will in most cases be that area closest to adjacent uses that may include residential uses. The requirement for a car wash to be located 30 metres from residential uses would then be contradictory, either precluding it as a permitted use or by locating to another part of the property not at the "rear" of the site. A site specific review of proposed gas station facilities is the most appropriate way of dealing with these facilities to take into consideration the context of the site with the surrounding area and to arrive at the most appropriate layout of facilities. Accordingly, policies c and d above should be deleted and replaced with a general statement relating to the examination of

proposed gas station sites on a site specific basis to determine site and building layouts and/or the establishment of Gas Station Urban Design Guidelines.

Section 10.1 Implementing the Plan

Subsection 10.1.2 Implementation Tools

Subsection 10.1.2.15 Legal Non-conforming Uses

"That the use of land, buildings and structures which does not conform to the Zoning By-law but which lawfully existed prior to the approval of the Zoning By-law is a legal non-conforming use. When a legal non-conforming use ceases, then the rights derived from the legal non-conforming use shall terminate.

10.1.2.16 That legal non-conforming uses shall eventually cease and be replaced by uses, buildings or structures that conform with the intent of this Plan and the Zoning By-law.

As identified in the CPPI correspondence of July 27, 2010, a legal non-conforming use carries implications for future works on the site. Whether it is a replacement facility or renovations to an existing facility, a legal non-conforming designation may prevent these future works or require an additional level of municipal approval that may include an official plan amendment. Wording as suggested by CPPI provides comfort in recognizing that existing gas station uses will continue to be identified as permitted uses under the Draft OP. The wording used by CPPI is as follows:

"Gasoline stations and retail businesses with drive-through facilities existing at the time this new Official Plan comes into effect will continue to be permitted under the new Official Plan."

The above-mentioned policies of the Draft OP if adopted without change are not supported by IOL as they will be prejudicial to existing and future gas station operations.

SITE SPECIFIC POLICIES

IOL operates thirteen existing sites and is currently contemplating one additional site within the City limits. On a site by site basis, the following is provided:

SITE 1 - HIGHWAY 400 SERVICE CENTRE

Based on our review of the draft OP it would appear that the policies of the Official Plan do not apply to this site, wholly located within the limits of Provincial Highway 400. There is no issue with the Draft OP for this site.

SITE - 2 - MAJOR MACKENZIE DRIVE AND VELLORE WOODS

This site, located at the southeast corner of the intersection of a major arterial and minor collector comprises a gas pump island, car wash and "On the Run" facility. The Draft OP proposes a Primary Intensification Corridor Urban Structure Designation with a Commercial Mixed Use (H8, D2.5) designation. This site would be subject to policies of 9.2.2.7 and 9.2.3.9. Policy 9.2.2.7 would limit the number of gas stations at this intersection to one. Policy 9.2.3.9 requires that no parking or driveways are located between the building and the street. The existing condition

does not meet this requirement. This site would not be in conformity with the Draft OP and would further be affected should the addition of a drive-through be pursued in the future.

SITE 3 - MAJOR MACKENZIE DRIVE AND JANE STREET

This site is located at the northwest corner of the intersection of two major arterials. The site is identified as a Primary Centre with a land use designation of Major Institutional that would not permit the gas station use.

In examining this site, the "Issues and Options Report for the Northwest Quadrant: Jane Street & Major Mackenzie Drive" was referred to. This report, prepared by Sorrenson Gravely Lowes in February 2010 for the City identifies on Page 1 of Section 1.1 that: "The existing gas station and car wash on the corner of Jane Street and Major Mackenzie Drive is not part of the Study Area." In addition, the draft OPA for The Healthcare Campus Centre Plan excludes the Esso station from the area of the amendment.

It appears the intention of these documents is to exclude the Esso station from the area subject to the Major Institutional land use designation, something that has not been carried forward in the Draft OP. We request that the site be removed from the Major Institutional designation and placed in a Commercial Mixed Use designation to recognize the existing facility and uses.

Within any other category that would permit a gas station, the location of this site at the intersection of two major arterials contravenes the policies of 9.2.2.4, 9.2.2.6, 9.2.2.7 and 9.2.2.10 set out above and would be considered a legal non-conforming use. Policy 5.2.3.7 and 9.2.3.9 would also be applicable to the site and with the current configuration and uses would not comply with either of these policies. For this reason, the policies pertaining to gas stations need to remove the restriction of locating gas stations at the intersection of two major arterials and limiting the number of gas stations to one at intersections.

SITE 4 - MAJOR MACKENZIE DRIVE AND DUFFERIN STREET

This site is located at the northwest corner of the intersection of two major arterials. The site is identified as Natural Areas and Countryside on the Urban Structure schedule and designated as Low Rise Mixed Use (H5, D1.75). The Low Rise Mixed Use designation does not permit Gas Stations and the site would not be in conformity with the Draft OP. Accordingly it would become a legal non-conforming use. The site is also subject to the Maple Valley Plan (OPA 535) that designates the site as General Commercial and recognizes and permits a gas station use at this location. The Low Rise Mixed Use designation conflicts with the General Commercial designation found in OPA 535.

The designation of this site needs to be consistent and recognize the existing use as permitted. This site does not comply with policy 5.2.3.7, 9.2.2.2 and 9.2.3.9 of the Draft OP. Gas Stations are not permitted in the Low Rise Mixed Use or within the Natural Areas and Countryside designation. This site should be removed from the Natural Areas and Countryside designation of the City's Urban Structure and placed into an appropriate designation that recognizes the existing use of the lands for a gas station.

SITE 5 - RUTHERFORD ROAD AND VELLOR WOODS

Located at the northwest corner of the intersection of a major arterial and a minor collector, this site is identified as a Primary Intensification Corridor with a designation of Mid Rise Mixed Use (H8, D2.0). Gas Stations are permitted and this site complies with the policies of Section 9.2.2.4 but would not comply with Policy 9.2.3.9 due to the layout of the site. The Site would become a legal non-conforming use.

SITE 6 - HIGHWAY 27 AND LANGSTAFF ROAD

This site is located at the northeast corner of the intersection of two major arterial streets. The site is identified as Community Area with a land use designation of Low Rise Mixed Use (H4, D1.5). This station is not permitted under the Low Rise Mixed Use designation and would become a legal non-conforming use. A change in designation to Mixed Use Commercial would also result in a legal non-conforming use as policy 9.2.2.7 would be applicable and there are two gas stations in existence at this intersection of two major arterials.

The City needs to re-examine the designations applicable to gas station sites to ensure that appropriate policies recognize existing stations as permitted uses, now, and in the future.

SITE 7 - KEELE STREET AND LANGSTAFF ROAD

Located at the northeast corner of the intersection of two major arterials, this site is identified as Employment Area with a land use designation of Prestige Employment Area. The use is permitted by the Prestige Employment Area policies, however policy 9.2.2.10 c. (v) would prohibit the location of a gas station at the intersection of two arterials and thus the site would become legal non-conforming.

The restriction of gas stations at the intersection of two arterials is unfounded and would make eight of the twelve sites under jurisdiction of the Vaughan OP into legal non-conforming uses. This is not an acceptable situation for any site, especially existing facilities that may be impacted by this status when redevelopment or refurbishment of the facility is required.

SITE 8 - DUFFERIN STREET AND LANGSTAFF ROAD

This is the location of a potential future gas station site, located at the southwest corner of the intersection of two major arterial roads. Similar to Site 7 above the site is within an Employment Area and designated as Prestige Employment Area. This site would be subject to the policies of section 9.2.2.10 c (v) that would not permit a new facility at the intersection of two arterial roads.

It is noted that an application (Z.10.017) is currently being processed by the Planning Department for this property. The purpose of this application is to rezone the lands from Agricultural to Commercial (C7) to permit service commercial uses that includes a gas station and associated uses as a permitted use. To date, a decision has not yet been made on this application. Should this application be approved and a gas station use permitted, the result would be another legal non-conforming use.

SITE 9 - HIGHWAY 7 AND ROYBRIDGE GATE

This site is located at the southwest corner of the intersection of an arterial road and a local street. Identified as a Primary Intensification Corridor and designated as Commercial Mixed Use (H10, D.3.0) this site would permit a gas station. However, the site is located on Highway 7, a Regional Corridor, and would not be permitted pursuant to revised policy 5.2.3.7 that allows gas stations with drive-throughs in Primary Intensification Corridors, unless they are identified as Regional Corridors. The site would also not comply with Policy 9.2.3.9 due to the size of the building and the location of driveways and parking. This site would be considered a legal non-conforming use.

SITE 10 - HIGHWAY 7 AND PINE VALLEY DRIVE

Located at the southeast corner of two major arterials (one designated as a Regional Corridor) this site is identified as Primary Intensification Corridor and designated Mid Rise Mixed Use (H10, D3.0). Like most of the other existing IOL gas station sites the use is permitted but under the provisions of Policy 9.2.2.4 a gas station would not be permitted at this intersection and would be a legal non-conforming use. Policy 5.2.3.7 also affects this site as this portion of Highway 7 is a Regional Corridor and the facility has an existing drive-through.

SITE 11 - HIGHWAY 7 AND WESTON ROAD

This site is located at the northwest corner of the intersection of two arterial roads, one of which is identified as a Regional Corridor. The lands are identified as a Primary Centre and designated for High Rise Mixed Use. The policies of Section 9.2.2.6 would be applicable and this site would not comply with the requirements relating to intersections of arterial roads and policy 9.2.3.9. This site would become a legal non-conforming use.

SITE 12 - HIGHWAY 7 AND THORNHILL WOODS DRIVE

This site is located on the northeast corner of the intersection. This site is identified and designated as Parkway Belt West Plan (PBWP). The policies of the Draft OP are not applicable.

The PBWP identifies the site as "Public Use" with a designation of "Road" applying to the site.

SITE 13 - CENTRE STREET AND NEW WESTMINSTER DRIVE

Located on the north side of Centre Street (a major arterial) and not at an intersection, this site is identified as being within a Primary Intensification Corridor and designated as Mid Rise Mixed Use (H8, D2.5). This section of Centre Street is identified as a Regional Corridor. This site currently complies with Policies 5.2.3.7, 9.2.2.6 and 9.2.3.9. However, should the addition of a drive-through be contemplated for the future, it would not be permitted under the policies of the Draft OP.

SITE 14 - ISLINGTON AVENUE AND STEELES AVENUE

Located at the northwest corner of the intersection of two major arterials, this site is identified as Primary Intensification Corridor and designated Mid Rise Mixed Use (H8, D2.5). Neither arterial

is identified as a Regional Corridor and this site would comply with Policy 5.2.3.7 but not policy 9.2.2.6 that would limit the number of stations at this intersection to one, while two currently exist.

CONCLUSION

In summary, ten of the twelve sites subject to the Draft OP will have a legal non-conforming status should the Draft OP be adopted as is. Site 8 would not be permitted to develop as a new gas station under the Draft OP policies. Site 13 appears to conform to the Draft OP; however, any future improvements and/or redevelopment of the site to include a drive-through use would not be permitted. The two remaining sites (1 and 12) are not subject to the policies of the Draft OP as they are within Provincial jurisdictions (Highway 400 service area and PBWP).

The policies of the Draft OP do not recognize the majority of the IOL existing gas stations as permitted uses due to the unique layout required for each station and the presence of drive-throughs. As a result of the proposed policies being put forward in the Draft OP, the majority of the IOL sites will become legal non-conforming uses that will impose restrictions and limitations to future site improvement and development.

We would be happy to meet with you to discuss an appropriate treatment of existing and future gas station policies for adoption in the new Vaughan Official Plan. However, due to the anticipated adoption of the Official Plan in early September 2010 timing for such a meeting may not occur prior to adoption. We would ask that the identified IOL sites be exempt from the policies of the OP until such time as appropriate policies can be implemented that better reflect the existing and future uses and layouts of the sites.

If you would like to arrange a meeting to discuss this further or require any additional information, please contact me.

Sincerely

GOLDBERG GROUP

Todd Trudelle

cc. J. Zipay, Commissioner of Planning

- D. Birchall, Director of Policy Planning & Urban Design
- M. Peverini, Manager of Development Planning
- C. Chong, Policy Planner
- M. Rossi, Policy Planner
- T. Radlak, Senior Policy Planner/Urban Design
- D. Dussault, Imperial Oil Ltd.
- J. Abrams, Clerk's Department
- J. Roy, CPPI Ontario Division
- E. Bristow, CPPI Director, Government & Stakeholder Relations

Region of York Clerk's Department

HIGHWAY 400 SOUTH, BETWEEN KIRBY ROAD AND TESTON ROAD SITE 1 - HIGHWAY 400 SERVICE CENTRE



Location: Provincial Highway 400 - Service Centre

Urban Structure: N/A

Proposed Land Use Designation: N/A

Policies: N/A

Summary: Not subject to policies of Draft OP

MAJOR MACKENZIE DRIVE & VELLORE WOODS BOULEVARD SITE 2 - 3555 MAJOR MACKENZIE DRIVE



Location: intersection of arterial and minor collector

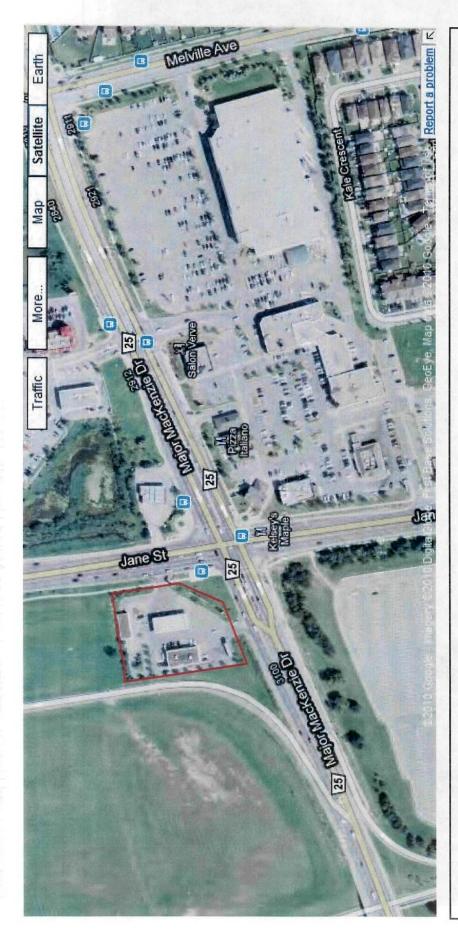
Urban Structure: Primary Intensification Corridor

Proposed Land Use Designation: Commercial Mixed Use (H8, D2.5)

Policies: 5.2.3.7, 9.2.2.7, 9.2.3.9

Summary: Does not comply with Policy 9.2.3.9 - Legal non-conforming

SITE 3 - 3100 MAJOR MACKENZIE DRIVE **MAJOR MACKENZIE DRIVE & JANE STREET**



Location: intersection of two arterial roads

Urban Structure: Primary Centre

Proposed Land Use Designation: Major Institutional

Policies: 5.2.3.7, 9.2.2.11, 9.2.3.9

Summary: Does not comply with 5.2.3.7, 9.2.2.11, 9.2.3.9 - Legal non-conforming

SITE 4 - 1500 MAJOR MACKENZIE DRIVE **MAJOR MACKENZIE DRIVE & DUFFERIN STREET**



Location: Intersection of arterial and minor collector

Urban Structure: Natural Areas and Countryside

Proposed Land Use Designation: Low Rise Mixed Use (H5, D1.75)

Policies: 5.2.3.7, 9.2.2.2, 9.2.3.9

Summary: Does not comply with Policy 9.2.2.2 and 9.2.3.9 - Legal non-conforming

RUTHERFORD ROAD & VELLORE WOODS BOULEVARD SITE 5 - 3650 RUTHERFORD ROAD



Location: intersection of arterial and minor collector

Urban Structure: Primary Intensification Corridor

Proposed Land Use Designation: Mid Rise Mixed Use (H8, D2.0)

Policies: 5.2.3.7, 9.2.2.6, 9.2.3.9

Summary: Does not comply with Policy 9.2.3.9 - Legal non-conforming

SITE 6 - 8525 HIGHWAY 27 & LANGSTAFF ROAD



Location: intersection of two arterial roads

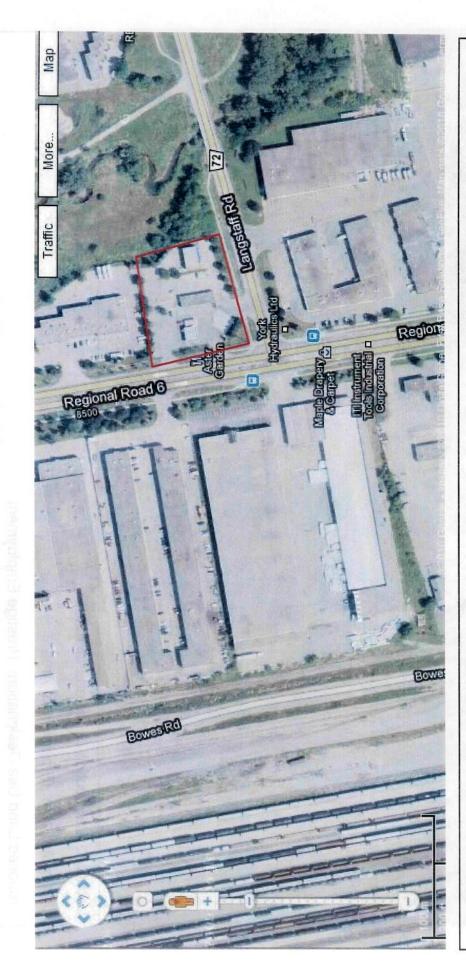
Urban Structure: Community Area

Proposed Land Use Designation: Low Rise Mixed Use (H4, D1.5)

Policies: 5.2.3.7, 9.2.2.2, 9.2.3.9

Summary: Does not conform with Policies 9.2.2.2 and 9.2.3.9 - Legal non-conforming

SITE 7 - 8555 KEELE STREET KEELE STREET & LANGSTAFF ROAD



Location: intersection of two arterial roads

Urban Structure: Employment Area

Proposed Land Use Designation: Prestige Employment

Policies: 5.2.3.7, 9.2.2.10, 9.2.3.9

Summary: Does not comply with policies 5.2.3.7, 9.2.2.10 and 9.2.3.9 - Legal non-conforming

SITE 8 - 1531 LANGSTAFF ROAD AND 8470 & 8484 DUFFERIN STREET **DUFFERIN STREET AND LANGSTAFF ROAD**



Location: intersection of two arterial roads

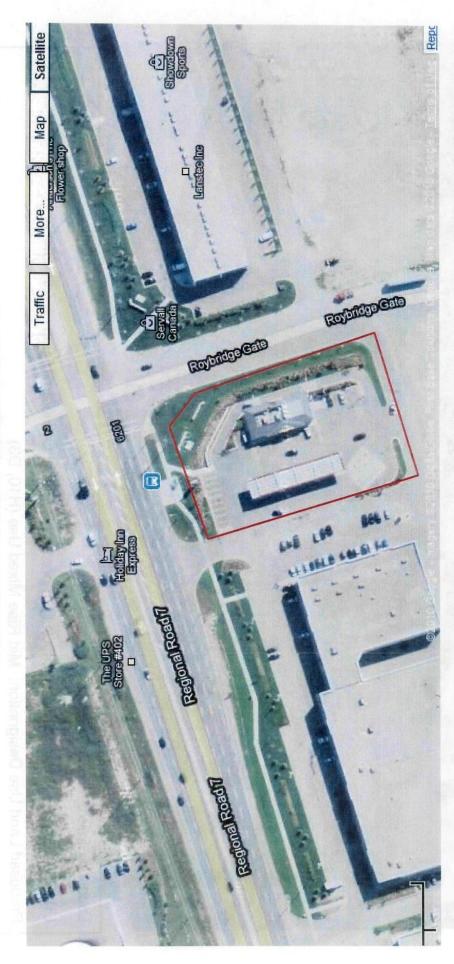
Urban Structure: Employment Area

Proposed Land Use Designation: Prestige Employment

Policies: 5.2.3.7, 9.2.2.10, 9.2.3.9

Summary: Does not comply with policies 5.2.3.7, 9.2.2.10 and 9.2.3.9 - New gas station not permitted

SITE 9 - 6161 HIGHWAY 7 ROY BRIDGE GATE



Location: intersection of arterial and local street

Urban Structure: Primary Intensification Corridor and Regional Corridor (Region of York OP)

Proposed Land Use Designation: Commercial Mixed Use (H10, D3)

Policies: 5.2.3.7, 9.2.2.7, 9.2.3.9

Summary: Does not comply with policies 5.2.3.7 and 9.2.3.9 - Legal non-conforming

SITE 10 - 4515 HIGHWAY 7 HIGHWAY 7 & PINE VALLEY DRIVE



Location: intersection of two arterial roads

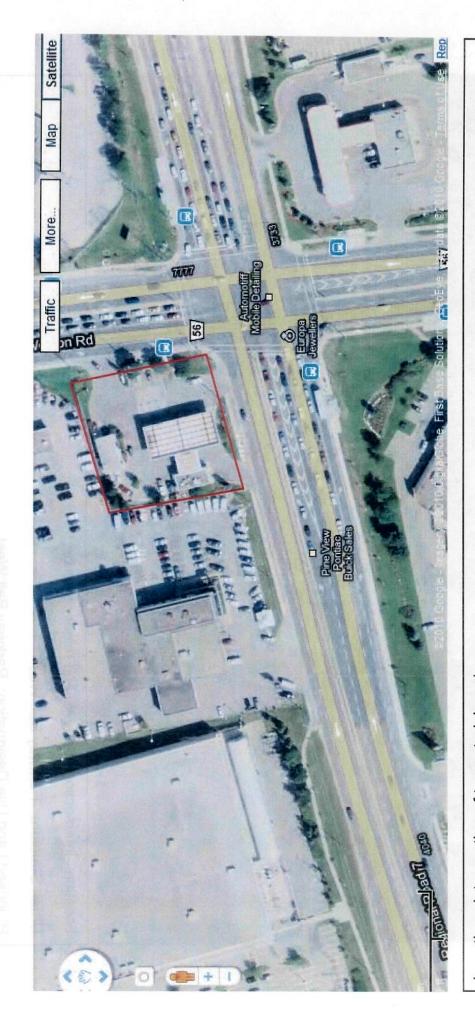
Urban Structure: Primary Intensification Corridor and Regional Corridor (Region of York OP)

Proposed Land Use Designation: Mid Rise Mixed Use (H10, D3)

Policies: 5.2.3.7, 9.2.2.6, 9.2.3.9

Summary: Does not comply with policies 5.2.3.7, 9.2.2.6 and 9.2.3.9 - Legal non-conforming

SITE 11 - 3764 HIGHWAY 7 WESTON ROAD



Location: intersection of two arterial roads

Urban Structure: Primary Centre and Regional Corridor (Region of York OP)

Proposed Land Use Designation: High Rise Mixed Use

Policies: 5.2.3.7, 9.2.2.6, 9.2.3.9

Summary: Does not comply with policies 9.2.2.6 and 9.2.3.9 - Legal non-conforming

SITE 12 - 1 THORNHILL WOODS DRIVE 4 HIGHWAY 7



Location: intersection of arterial and minor collector

Urban Structure: Parkway Belt West

Proposed Land Use Designation: Parkway Belt West

Policies: N/A

Summary: Not subject to policies of Draft OP

CENTRE STREET AND NEW WESTMINSTER DRIVE SITE 13 - 1030 CENTRE STREET



Location: arterial road

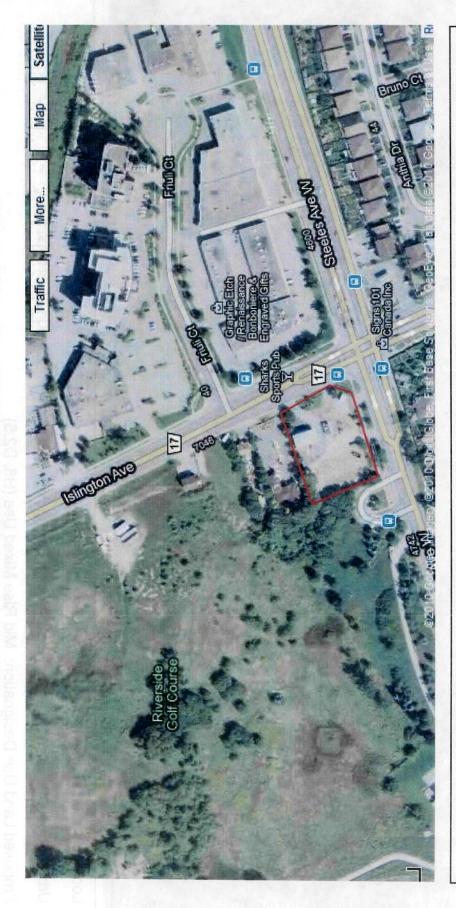
Urban Structure: Primary Intensification Corridor and Regional Corridor (Region of York OP)

Proposed Land Use Designation: Mid Rise Mixed Use (H8, D2.5)

Policies: 5.2.3.7, 9.2.2.4, 9.2.3.9

Summary: Does not comply with policies 5.2.3.7 and 9.2.3.9 - Legal non-conforming

SITE 14 - 7018 ISLINGTON AVENUE **ISLINGTON AVENUE & STEELES AVENUE WEST**



Location: intersection of two arterial roads

Urban Structure: Primary Intensification Corridor

Proposed Land Use Designation: Mid Risel Mixed Use (H8, D2.5)

Policies: 5.2.3.7, 9.2.2.6, 9.2.3.9

Summary: Does not comply with policies 9.2.2.6 and 9.2.3.9 - Legal non-conforming



October 25, 2010

Augustan Cole Planning Services Region of York 17250 Yonge Street Newmarket, ON L3Y6Z1

Dear Mr. Cole;

RE: ADOPTED VAUGHAN OFFICIAL PLAN

HOME DEPOT HOLDINGS INC. 140 NORTHVIEW BOULEVARD

MHBC FILE: 9316K



KITCHENER WOODBRIDGE LONDON KINGSTON BARRIE

We are the planning consultants for Home Depot Holdings Inc ("Home Depot"). We had submitted letters to the City of Vaughan on May 11, 2010 and July 28, 2010 on behalf of Home Depot regarding our client's concerns with the new Vaughan Official Plan. Home Depot operates an existing store at 140 Northview Boulevard. We had reviewed the draft Official Plan and all associated staff reports relative to this site, and had offered several recommended modifications to recognize the existing Home Depot store in the new Official Plan.

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

Existing Permissions

This site is currently designated 'Corporate Centre District' in the in-effect Vaughan Corporate Centre Secondary Plan (OPA 500). This designation permits retail uses of all types and sizes.

The site is zoned 'Retail Warehouse Employment Area' (EM3) Zone subject to exception 1000, which permits building supply outlets, retail warehouses, and limited outdoor display. Site-specific zoning exception 1000 also specifically permits two take-out restaurants and a tool rental centre.

Concerns With Adopted Official Plan

The existing Home Depot store at the Northview Boulevard location has been designated 'Primary Centre' in the adopted plan's Urban Structure plan, and 'Mid-Rise Mixed Use' in the Land Use plan. The

'Mid-Rise Mixed Use' designation permits retail uses, however, the plan separately defines retail uses over 10,000 square metres on a lot as 'major retail.' The existing store is approximately 12,000 square metres in floor area, and therefore would be considered major retail. Major retail uses are permitted in 'Primary Centres' and therefore continues to be permitted.

Although the adopted Official Plan recognizes the existing use as compliant, the gross floor area restrictions for retail uses in this designation restrict retail uses to 50% of the floor area of all uses on the lot. The existing store represents 100% of the floor area on the lot. In addition, Home Depot is contemplating intensifying the site by adding additional retail, service, or restaurant uses. Such intensification would likely require an Official Plan Amendment if the above floor area restriction remains in effect.

The site is also subject to a required Secondary Plan as per Schedule 14 (Areas Subject to Secondary Plans). According to Section 10.1.1.4 of the Official Plan, individual Official Plan or Zoning Amendment applications in areas requiring a Secondary Plan cannot proceed until that Secondary Plan for the area is approved. The City has given no indication as to when this required Secondary Plan will be completed. Therefore any development application submitted for this site could be put on hold indefinitely. This represents an unduly onerous situation should Home Depot desire to undertake minor intensification of the site that requires an Official Plan or Zoning By-law Amendment.

Land use compatibility is also an issue at this store. The new Official Plan designations contemplate midand high-rise residential development in the vicinity of the store. The provisions for noise mitigation in the plan are, in our opinion, insufficient to protect the existing store and its operations from conflicting with any future residential development.

Our letters to the City had requested site-specific recognition of the existing Northview Boulevard store through Volume 2 of the plan, as well as stronger noise attenuation requirements for new residential developments and reduced restrictions on areas requiring Secondary Plans. These requests were not implemented by the City prior to adoption of the Official Plan.

To rectify these issues, we request that the Region implement the modifications that we had requested from City staff. The following modifications would be required to rectify the above noted situations at the Home Depot store:

- 1. The site of the existing store be regulated by a site-specific provision which reads as follows:
 - a) Major retail uses shall be permitted.
 - b) The following building types shall also be permitted:

i) Low-Rise Buildings

- c) Major retail and retail uses may occupy up to and including 100% of the total gross floor area of all uses on the lot.
- d) Surface parking shall be permitted in any front or side yard.
- e) The rooftop of an existing low-rise building is not required to comply with Section 9.2.3.4 d.
- 2. That the Region amend Schedule 14 (Areas Subject to Secondary Plans) to remove our client's site from the required Secondary Plan area or that a new policy be added to Section 10.1.1.4 to

- allow minor development and intensification prior to the adoption of a Secondary Plan, for areas identified as requiring a Secondary Plan on Schedule 14 of the adopted Official Plan; and
- 3. A provision be included in the general urban design and built form policies which requires any development in intensification areas to identify and mitigate potential noise impacts to their projects from existing uses, including commercial uses; and mitigate them at the applicant's expense.

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

Please add us to the circulation list for the Notice of Approval of the final Official Plan.

Thank you,

Yours truly,

MHBC

cc.

Davig A. McKa

Robert Frodyma, Home Depot Holdings Inc.

MSc, MCIP, RPP

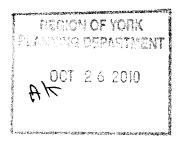
Steven Zakem, Aird & Berlis Mauro Peverini, City of Vaughan



October 25, 2010

Augustan Cole Planning Services Region of York 17250 Yonge Street Newmarket, ON L3Y6Z1

Dear Mr. Cole:



KTCHONE? WOODSADG LONDON KNGSTON RARRIE

RE: ADOPTED VAUGHAN OFFICIAL PLAN

HOME DEPOT HOLDINGS INC.

NORTHWEST CORNER OF HIGHWAY 400 AND MAJOR MACKENZIE DRIVE

MHBC FILE: 9316EL

We are the planning consultants for Home Depot Holdings Inc ("Home Depot"). We had submitted letters to the City of Vaughan on May 11, 2010 and July 28, 2010 on behalf of Home Depot regarding our client's concerns with the new Vaughan Official Plan. Home Depot has proposed a new store at the northwest corner of Highway 400 and Major Mackenzie Drive in Vaughan. We had reviewed the draft Official Plan and all associated staff reports relative to this site, and had offered several recommended modifications to carry forward existing land use permissions into the new Official Plan.

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

Existing Permissions

The site is currently designated 'High Performance Employment Area' in the in-effect Vaughan Official Plan. This designation permits limited retail and service commercial uses on lands having frontage on Major Mackenzie Drive. As per the policies of OPA 450, retail warehouse uses are also permitted.

The site is currently zoned 'General Commercial' (C2) Zone subject to exception 1221. Site-specific exception 1221 permits retail warehouses, retail stores, and eating establishments (with or without a patio and/or drive-through), in addition to other commercial uses.

Concerns With Adopted Official Plan

The site is currently designated 'High Performance Employment Area' in the current Vaughan Official Plan. This designation permits limited retail and service commercial uses on lands having frontage on Major Mackenzie Drive. As per the policies of OPA 450, retail warehouse uses are also permitted. Home Depot had submitted a Site Plan application in December 2007 to implement the existing permissions for retail development on this site. Home Depot has been working with the City towards Site Plan Approval since that time.

The proposed Official Plan would designate the site as an 'Employment Area' and 'Primary Intensification Corridor' in the Urban Structure plan, and as 'Prestige Employment' on Schedule 13I of the Land Use plan. The 'Prestige Employment' designation does not permit major retail development. Any applications for major retail development on this site will be considered a conversion of employment lands because of the 'Employment Area' structural designation and the Plan's conversion policies (implementing the Growth Plan for the Greater Golden Horseshoe). Conversions of employment lands can only occur through a Municipal Comprehensive Review. Notwithstanding, the frontage of the property where the 'Primary Intensification Corridor' structural designation is located could be used for major retail uses, as this part of the site is not structurally designated as 'Employment Area.'

The existing Official Plan permissions for the store will be removed from the majority of this site by the 'Employment Area' and 'Prestige Employment designations,' thereby sterilizing Home Depot's Site Plan application and its investments in the property. Ultimately, the City will update its Zoning By-law to reflect the regulations of the new Official Plan, thus completely removing the existing permissions for major retail uses on this site.

Our letters to the City requested that the site be redesignated to 'Commercial Mixed Use' to carry forward the existing permissions for major retail on this site. We note that within the 'Commercial Mixed Use' designation, a minimum of 30% of the floor area on a lot must be used for uses other than retail uses within the area designated Primary Intensification Corridor. Therefore we requested a site-specific exception that would permit 100% of the floor area of the lot to be used for retail uses. In addition, we also requested several other provisions to ensure the existing development rights would be maintained under the provisions of the 'Commercial Mixed Use' designation, as follows:

- Major retail uses shall be permitted.
- The following building types shall also be permitted:
 - o Low-Rise Buildings
- Surface parking shall be permitted in any front or side yard
- The rooftop of a low-rise building for which a Site Plan application was submitted on or prior to May 17th, 2010 is not required to comply with Section 9.2.3.4 d.

These requests have not been implemented by the City in the adopted Official Plan.

To rectify this issue, we request that the Region implement the modifications that we had requested from City staff, such that the site is redesignated on Schedule 13I (Land Use) to 'Commercial Mixed Use' and subject to a site-specific provision in Volume 2, which reads:

- a) Major retail uses shall be permitted.
- b) The following building types shall also be permitted:
 - i) Low-Rise Buildings
- c) Major retail and retail uses may occupy up to and including 100% of the total gross floor area of all uses on the lot.
- d) Surface parking shall be permitted in any front or side yard
- e) The rooftop of a low-rise building for which a Site Plan application was submitted on or prior to May 17th, 2010 is not required to comply with Section 9.2.3.4 d.

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

Please add us to the circulation list for the Notice of Approval of the final Official Plan.

Thank you,

Yours truly,

MHBC

David A. McKay, MSc, MCIP, RPP

cc. Robert Frodyma, Home Depot Holdings Inc.

Steven Zakem, Aird & Berlis Mauro Peverini, City of Vaughan



Blake, Cassels & Graydon LLP Barristers & Solicitors Patent & Trade-mark Agents 199 Bay Street Suite 2800, Commerce Court West Toronto ON M5L 1A9 Canada Tel: 416-863-2400 Fax: 416-863-2653

T. W. Bermingham

Partner

Dir: 416-863-2946 tim.bermingham@blakes.com

SECONI OF YORK

Reference: 24580/799

October 18, 2010

VIA FACSIMILE AND REGULAR MAIL

Region of York Planning Department 17250 Yonge Street, 4th Floor Newmarket, Ontario L3Y 6Z1

Dear Sir/Madam:

Re: City of Vaughan, New Official Plan

Re: Request for Notice of Decision pursuant to Section 17(35) of the Planning Act

We wish to follow up on our letter of October 4, 2010 on behalf of our clients, United Parcel Service Canada Ltd. and 724352 Ontario Ltd.

At that time, we requested written notice of any decision made by the Region of York in its capacity as approval authority for the new Official Plan for the City of Vaughan, including any decision made with respect to the Yonge-Steeles Corridor Secondary Plan (City of Vaughan File YS-25.5.12.4). The letter was addressed to the City Clerk's office and in accordance with the notice, this duplicate request is being sent to the attention of the Planning Department.

Thank you in advance for your assistance.

Yours very truly,

T. W. Bermingham

TWB/ma

22041845.1

MONTRÉAL OTTAWA TORONTO CALGARY

VANCOUVER

ALCORN & ASSOCIATES LIMITED

Land Planning and Development Consultants

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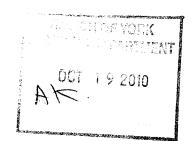
October 6, 2010

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

Dear Sirs,

Re: City of Vaughan Official Plan 2010

Peter Mayor, Block 11 340 Marc Santi Boulevard



We represent Mr. and Mrs. Peter Mayor who are long term residents living in Block 11 of the City of Vaughan. Since 2000, the Mayors' have involved themselves in the Block Plan process, surrounding property owner subdivision approvals and six years of site development and construction occurring around their residential property.

The City approved Block Plan and Master Environmental Services Plan for Block 11 showed future development on the Mayor property, being "low density residential" lotting in conjunction with adjacent lotting on subsequently approved draft plans of subdivision, endorsed / approved by the City and Conservation Authority (TRCA).

Enclosed is an excerpt of City approved Block Plan for Block 11 showing the proposed land use and lotting, forming the basis of the approved draft plans of subdivision 19T - 95066 and 19T - 95062R on the abutting lands to the west and south / east, respectively.

The Mayors' are now considering proceeding with the severance and zoning amendment applications to implement these pre-existing planning approval processes, to the creating of the proposed building lots pursuant to the Official Plan policies in effect (Official Plan Amendments 400 and 600).

By the enclosed June 23, 2010 letter to the City Commissioner of Planning, Mr. Mayor is of the understanding that the captioned new City Official Plan policies could require greater residential lot setbacks from the adjoining valley feature limit than the 2.5 meter setback approved under the City Council and the Toronto Region Conservation Authority approval of the Block Plan which the Mayors are relying on.

As we have just recently been retained by P. Mayor, we intend to meet with the City planning department to review these matters, potential issues and resolution.

By this letter we request the Region to notify the undersigned of the proposed decision of the Region respecting the City new Official Plan.

Yours truly,

ALCORN & ASSOCIATES LIMITED

Randy Arco President

cc:

Peter Mayor

Mauro Peverini



NOTICE OF THE ADOPTION OF CITY OF VAUGHAN OFFICIAL PLAN 2010

Please be advised that By-law 235-2010, which adopted The City of Vaughan Official Plan 2010, was passed by Vaughan Council on the 7th day of September, 2010.

This Official Plan is a comprehensive document presenting policies governing land use and development throughout the City. The new Plan is intended to conform with the requirements of the Provincial Policy Statement, the Places to Grow Act and the recently adopted York Region Official Plan.

This Official Plan will contain City-wide policies and is a consolidation which includes both new and amended secondary plans, and site and area specific policies, as well as the retention of some existing policies and plans, forming part of the City of Vaughan Official Plan 2010. The secondary plans are as follows:

- a) The Vaughan Metropolitan Centre Secondary Plan;
- b) The Yonge Steeles Corridor Secondary Plan;
- c) The Woodbridge Centre Secondary Plan;
- d) The North Kleinburg-Nashville Secondary Plan; and
- e) The West Vaughan Employment Area.

This Plan will apply to all lands within the municipal boundary of the City of Vaughan. Accordingly, no key map showing lands affected by the Plan is attached to this notice.

The complete document is available for inspection in the office of the City Clerk during regular office hours.

Any person or public body will be entitled to receive notice of the proposed decision of the approval authority if a written request to be notified of the proposed decision is made <u>directly</u> to the approval authority. The approval authority is:

REGIONAL MUNICIPALITY OF YORK
Planning Department
17250 Yonge Street, 4th Floor
Newmarket, Ontario
L3Y 6Z1

June 23, 2010

340 Marc Santi Boulevard Maple, ON L6A 0L2

905-832-8823

Mr. John Zipay Commissioner of Planning The City of Vaughan 2141 Major Mackenzie Drive Vaughan, ON L4K 1Y2

Dear Mr. Zipay:

RE: New Vaughan Official Plan and Site-Specific Official Plan Policies City of Vaughan File # OP.25.1

I am writing with respect to my property situated at 340 Marc Santi Boulevard, in Part of Lot 17, Concession 2, midway between Bathurst Street and Dufferin Street in Vaughan Block 11 (see attachment). My property is approximately 6.8 acres (2.75 hectares) in size, and is bisected by a tributary of the East Don River. In addition to my principal residence, there is a barn used for workshop and storage situated elsewhere on the property.

I have lived at this location for over 70 years, and have witnessed firsthand the urbanization of the surrounding lands as part of the Valleys of Thornhill Community, more commonly referred to as Vaughan Block 11. While I did not participate in the development of this Community, my lands were previously walked with staff from the City of Vaughan and the Toronto and Region Conservation Authority to determine which lands could be developed with the adjoining properties to the east (Woodvalley Developments) and west (Nine-Ten West Limited). Both of the plans of subdivision which have been registered by these adjoining properties contain Part Blocks which once combined with my property will create single family residential lots on Thomas Cook Avenue, Marc Santi Boulevard, and Marmot Court. I understand from discussions with these adjoining developers that their respective Part Blocks have already been serviced in accordance with approvals granted by the City of Vaughan.

My concern with the new Vaughan Official Plan is that it does not appear to have regard to my lands from the perspective of what has been approved for development within the surrounding community. My lands form one of the last developable parcels within Block 11, and would round-out the serviced Part Blocks on the adjoining lands. However, based on my understanding of the new Official Plan it appears there are policies which could require greater setbacks from the adjoining valley feature, potentially sterilizing or significantly limiting my ability to develop my lands in the future. It would seem reasonable to me that given the context of the adjoining developments and the historical treatment of these lands, those same criteria which were applied by the City and Conservation Authority in Block 11 should continue to apply to my lands.

Although I am not well versed in these matters, I would appreciate your consideration in addressing this concern and ensuring that my lands are treated in the same manner as the surrounding developments. I would appreciate the opportunity to meet with your staff to further understand how this can be achieved.

Sincerely,

Peter G. Mayor

cc. Clayton Harris, CAO Jeffrey A. Abrams, City Clerk Peter Meffe, Councillor Ward 1



Subject Property

Templeton Planning Ltd.

Land Use Planning and Development Consultants

October 14, 2010

Region of York, Planning and Development Services, 17250 Yonge Street, Box 147, Newmarket, Ontario L3Y 6Z1



Dear Sir or Madam:

Re: Notice of Adoption

City of Vaughan Official Plan 2010 Adopting By-law No. 235-2010

The Clerk of the City of Vaughan issued a Notice of Adoption dated September 22, 2010 concerning the City's proposed new Official Plan. In accordance with the information contained in that Notice, we are providing this written request to be notified of the proposed decision from the Region of York once that is available. The requested notification should be sent to the writer at the following postal/email address:

Templeton Planning Ltd., 71 Tyler Street, Aurora, Ontario L4G 2N1 (email: gary.templeton@sympatico.ca)

Thank you for your attention to this matter.

Yours truly,

Gary Templeton MCIP, RPP

Please refer to: Michael Melling e-mail: michaelm@davieshowe.com



Davies Howe Partners

Lawvers

The Fifth Floor 99 Spadina Ave Toronto, Ontario M5V 3P8

T 416.977.7088 F 416.977.8931 davieshowe.com



October 14, 2010

By Next Day Courier

Regional Municipality of York Planning Department 17250 Yonge Street, 4th floor Newmarket, Ontario L3Y 6Z1

Dear Sir or Madam,

City of Vaughan Official Plan 2010 ("the New Vaughan OP") Re:

We are counsel to the Vaughan 400 North Landowners Group Inc. This letter formally requests notice of decision regarding the New Vaughan OP.

(

Thank you for your kind assistance.

Yours sincerely,

DAVIES HOWE PARTNERS

chael Melling

MWM:ic

copy: Ms. Rosemarie Humphries, M.C.I.P., R.P.P Clients

m:\700\702086\correspondence\letter notice of decision mm.doc



Davies Howe Partners

Lawyers

The Fifth Floor 99 Spadina Ave Toronto, Ontario M5V 3P8

T 416.977.7088 F 416.977.8931 davieshowe.com

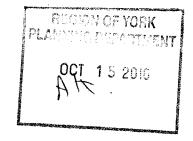


Please refer to: Michael Melling e-mail: michaelm@davieshowe.com

October 14, 2010

By Next Day Courier

Regional Municipality of York Planning Department 17250 Yonge Street, 4th floor Newmarket, Ontario L3Y 6Z1



Dear Sir or Madam,

City of Vaughan Official Plan 2010 ("the New Vaughan OP") Re:

We are counsel to the Block 27 Landowners Group Inc.

This letter formally requests notice of decision regarding the New Vaughan OP.

Thank you for your kind assistance.

Yours sincerely

DAVIES NOWE PARTNERS

ichael Melling

MWM:jc

copy: Mr. Peter Smith, M.C.I.P., R.P,P.

Mr. Gerry Lynch

Clients

Please refer to: Michael Melling e-mail: michaelm@davieshowe.com

REGION OF YORK

LANTING PERMITMENT

OCT 15 2010



Davies Howe Partners

Lawyers

The Fifth Floor 99 Spadina Ave Toronto, Ontario M5V 3P8

T 416.977.7088 F 416.977.8931 davieshowe.com



October 14, 2010

By Next Day Courier

Regional Municipality of York Planning Department 17250 Yonge Street, 4th floor Newmarket, Ontario L3Y 6Z1

Dear Sir or Madam,

copy: Client



We are counsel to the Trinistar Corporation. This letter formally requests notice of decision regarding the New Vaughan OP.

Thank you for your kind assistance.

Yours sincerely 7 DAVIES HOWE PARTNERS hael Melling



October 15, 2010

York Region Planning Department 17250 Yonge Street, 4th Floor Newmarket, Ontario L3Y 6Z1 ATTN: Augustine Ko

RE: Vaughan Official Plan and Rutherford Market Place

Dear Mr. Ko,

We represent FCHT Holdings (Ontario) Corporation the owner and developer of the Rutherford Market Place, located at the north-west corner of Bathurst and Rutherford Rd. The site was designated Medium Density Residential/Commercial Area by OPA #600 with a Neighbourhood Commercial Centre overlay in Section 4.2.2.4. The Neighbourhood Commercial Centre designation explicitly permitted the following uses:

- · A food store
- A drug store
- Other retail stores
- Pharmacies
- Banks and Financial Institutions
- Business and professional offices
- Personal Services
- Restaurants
- Service Stations
- And gas bar
- · But shall not include a department store

The designation for the site in the recently passed Vaughan Official Plan is Community Area on Schedule 1, Urban Structure Map, and Mid-rise Mixed Use on Schedule 13, Land Use Map. Retail uses are permitted in this designation. Retail is defined in the newly passed Official Plan as:

"Retail shall mean retail, restaurant and service commercial uses."

We have been assured in telephone conversations with staff at the City of Vaughan that the definition of retail in the City of Vaughan Official Plan 2010 is to be interpreted to include the retail uses explicitly noted above in the Neighbourhood overlay in OPA #600. We would like confirmation of this interpretation in writing.

We suggest the Region modify the definition of retail in the City of Vaughan Official Plan to read as follows:

"Retail shall mean retail, restaurant and service commercial uses including but not limited to, a food store; a drug store, pharmacies, banks and financial institutions, and personal services."

In addition to discussing this matter with staff at the City of Vaughan, we also have made submissions noting our concerns in this matter.

We look forward to discussing this matter with you further.

Sincerely,

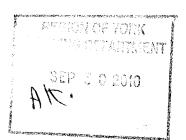
Seanna Kerr, Associate, M.Sc.Pl

Cc: Jodi Shpigel, First Capital Realty

Jeffrey Abrams, City of Vaughan, City Clerk Melissa Rossi, City of Vaughan Planning Mauro Peverini, Acting Manager, Policy Planning

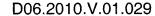
Tony Mauti 133 Anthia Drive Toronto, ON M9L 2T7 (416) 743-2455

Regional Mynicipality of York Planning Department 17250 Youpe St. 4th Floor Newmarket, ON L3Y 6Z1



Pursuant to the attached letter, this letter serves as a formal request to receive notice of the proposed decision of the approval authority being the Regional Municipality of look. I also respectfully request that you send me any and all other documents and information that I am entitled to at the above address.

Yours very truly, Tony Mauti





IBI Group 5th Floor-230 Richmond Street West Toronto ON M5V 1V6 Canada

tel 416 596 1930 fax 416 596 0644

October 6, 2010

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



Dear Sir / Madam:

REQUEST FOR NOTICE OF THE PROPOSED DECISION OF THE APPROVAL AUTHORITY CITY OF VAUGHAN OFFICIAL PLAN 2010

IBI Group is writing on behalf of the Concord Floral and the Ontario Realty Corporation, the respective owners of lands located at 1890 and 1870 Highway 7 West in the City of Vaughan. These owners have active Official Plan (OP.07.013) and Zoning By-law (Z.07.052) Amendment Applications with the City of Vaughan. These owners have also participated through IBI Group in the City of Vaughan's Official Plan Review process; including providing written comments and making presentations at Public Hearings.

Please consider this letter our formal request to be notified (to the attention of the undersigned) of the decision of the Region of York with respect to the City of Vaughan Official Plan. In addition we would ask that the following owner contacts be notified:

Fred Rae, Vice President Concord Floral Co. Ltd. 127 Portland Street Toronto, Ontario M5V 2N4 Hersh Tencer,
General Manager, Transaction Management
Ontario Realty Corporation
1 Dundas Street West, Suite 2000
Toronto, Ontario M5G 2L5

Thank you in advance for your assistance.

Yours truly,

IBI GROUP

Philip Levine

Director

cc. Fred Rae, Concord Floral

Hersh Tencer, Ontario Realty Corporation Michael Cole, Ontario Realty Corporation

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OCT 1 9 2010

D06.2010.V.01.031

October 15, 2010

Project No. 0996

Ms. Barbara Jeffrey
Manager, Land Use Policy & Environment
York Region Administration Building
17250 Yonge Street, 4th Floor
Newmarket, Ontario
L3Y 6Z1

Dear Ms. Jeffrey:

Re: City of Vaughan Official Plan 2010

As you know, we are planning consultants to the Block 27 Landowners' Group. Block 27 comprises the concession block bounded by Jane Street and Teston Road, Keele Street and Kirby Road in the City of Vaughan.

In accordance with the Notice of Adoption of the City of Vaughan Official Plan 2010 dated September 22, 2010, we are writing to request to receive notice of the Region of York's proposed decision with respect to the Vaughan Official Plan 2010 once it is issued.

Should you have any questions respecting our request, please do not hesitate to contact me, or Stephanie Kwast of this office.

Yours truly,

Bousfields Inc.

Peter F. Smith B.E.S. MCIP, RPP

cc: G. Lynch – Cole Engineering
M. Melling – Davies Howe Partners
Denis Kelly – Regional Clerk



D06.2010.V.01.030

EMC File No.: 204101-PL

October 12, 2010

Via Fax 1-905-895-3031

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

Attention:

Denis Kelly

Regional Clerk

Dear Sir:

Re:

Official Plan for the City of Vaughan (2010)

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

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

Yours truly,

EMC GROW LIM

Michael Pelech, MA(Pl), MCIP, RPP

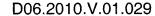
Senior Planner

York Region Planning & Development Services (Fax #1-905-895-3482)

Jeffrey A. Abrams, Vaughan City Clerk (Fax #905-832-8535)

Diana Birchall / Mauro Peverini, Vaughan Policy Planning (Fax #905-832-8545)

Z:\204101\204101 YR ClerksDept Vaughan OP approval itr Oct1210.doc





IBI Group 5th Floor-230 Richmond Street West Toronto ON M5V 1V6 Canada

tel 416 596 1930 fax 416 596 0644

October 6, 2010

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



Dear Sir / Madam:

REQUEST FOR NOTICE OF THE PROPOSED DECISION OF THE APPROVAL AUTHORITY CITY OF VAUGHAN OFFICIAL PLAN 2010

IBI Group is writing on behalf of the Concord Floral and the Ontario Realty Corporation, the respective owners of lands located at 1890 and 1870 Highway 7 West in the City of Vaughan. These owners have active Official Plan (OP.07.013) and Zoning By-law (Z.07.052) Amendment Applications with the City of Vaughan. These owners have also participated through IBI Group in the City of Vaughan's Official Plan Review process; including providing written comments and making presentations at Public Hearings.

Please consider this letter our formal request to be notified (to the attention of the undersigned) of the decision of the Region of York with respect to the City of Vaughan Official Plan. In addition we would ask that the following owner contacts be notified:

Fred Rae, Vice President Concord Floral Co. Ltd. 127 Portland Street Toronto, Ontario M5V 2N4 Hersh Tencer,
General Manager, Transaction Management
Ontario Realty Corporation
1 Dundas Street West, Suite 2000
Toronto, Ontario M5G 2L5

Thank you in advance for your assistance.

Yours truly,

IBI GROUP

Philip Levine

Director

cc. Fred Rae, Concord Floral

Hersh Tencer, Ontario Realty Corporation Michael Cole, Ontario Realty Corporation

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D06.2010.V.01.028

Ko, Augustine

From: nick.coleman@cn.ca

Sent: October 13, 2010 2:04 PM

To: Ko, Augustine **Subject:** Vaughan OP

Augustine, we have taken a look through the OP and the Vaughan Metropolitan Centre Secondary Plan, and are pleased with the attention given to the issues related to locating residential and other sensitive uses in proximity to railway operations, and in particular, those characteristic of our MacMillan Yard.

It is anticipated the acknowledgement of CN's importance to the community and the policies in place to guide development of lands in proximity to our marshalling yard, will minimise the inherent potential for incompatibility issues to arise.

Vaughan policies have come a long way since the many planning interventions CN was forced to take over the last several decades to ensure the continued viability of its marshalling yard operations. We are thankful.

Regards,

Nick

Nick Coleman B.Sc.

Manager, Community Planning & Development

CN Business Development & Real Estate

905-760-5007 • Fax: 905-760-5010 • NICK.COLEMAN@cn.ca

1 Administration Road, Concord, ON L4K 1B9



October 7, 2010

Via E-mail and Regular Mail

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

Attention:

Denis Kelly, Regional Clerk

Re:

Request for Notification

City of Vaughan Official Plan 2010

Vaughan, Ontario

Zelinka Priamo Ltd. hereby requests to be notified of any public meetings related to the City of Vaughan Official Plan 2010 approval and review process, as well as notice of the approval authority and the passing of the Official Plan and any implementing By-laws considered by Council. According to the Notice of Adoption dated September 22, 2010 the City of Vaughan approved By-law 235-2010 adopting the new Official Plan on September 7, 2010.

If you have any questions, or require further information, please do not hesitate to call.

Yours very truly,

ZELINKA PRIAMO LTD.

Jorathan Rodger, MScPI, MCIP, RPP

Senior Planner

cc: Commissioner of Planning, Regional Municipality of York (Via Email)



WESTON CONSULTING GROUP INC.

'Land Use Planning Through Experience and Innovation'

October 6, 2010 File No. 5182

Mr. Bryan Tuckey
Commissioner of Planning
Regional Municipality of York
Planning Department
17250 Yonge Street
4th Floor
Newmarket ON
L3Y 6Z1

ATTENTION: Augustine Ko

Dear Sir:

Re: City of Vaughan Official Plan

2157160 Ontario Inc. (Sagar Aggarwal)

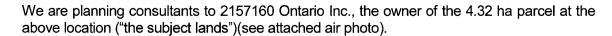
10901 Highway 50 - East side of Highway 50 and west side of Cold Creek Road,

PRODUCE YOUR

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north of Nashville Road and south of Mayfield Road



In the new City of Vaughan Official Plan, the subject lands are designated "Natural Areas and Countryside" (Schedule 1) and "Agricultural" and "Natural Areas" (Schedule 13-F). The subject lands lie outside the West Vaughan Employment Area Secondary Plan. There are no site-specific provisions affecting the subject lands, notwithstanding the 2006 Ontario Municipal Board approval of OPA 570 (attached) and the implementing zoning by-law which allow trucking-related facilities on the subject lands.

We note that another property in this same block has a site-specific policy permitting a "truck transport facility" (13.4). This location is identified in the Official Plan as 1125 Highway 50, but this address must be incorrect. The property is located on the east side of Highway 50 opposite Mayfield Road.

Our letter to the City, dated May 17, 2010 (attached), explained the need to recognize the existing approval applicable to the subject lands. Without such recognition, the owner would be vulnerable to a future City-initiated downzoning when the City moves to update its Zoning By-law in conformity with the new Official Plan.

Since 1981

Vaughan Office:

201 Millway Avenue, Unit 19,

Vaughan, Ontario, L4K 5K8

Tel. 905-738-8080

Oakville Office:

1660 North Service Road East, Suite 114,

Oakville, Ontario, L6H 7G3

Tel. 905-844-8749

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

We would request consideration of a modification to the new Official Plan to recognize the approved, but not yet developed uses, by way of a site-specific policy. Complementary uses could also be added. We would be pleased to discuss this with you further.

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

Yours truly,

Weston Consulting Group Inc.

Per:

Alan Young BES MSc MCIP RPP

Senior Associate

cc. Sagar Aggarwal, 2157160 Ontario Inc. John Zipay, City of Vaughan Diana Birchall, City of Vaughan

Grant Uyeyama, City of Vaughan







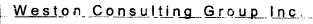
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SUBJECT LANDS

Air Photograph from Google Earth Pro. Date of photography: August 2009

10901 HIGHWAY 50 CITY OF VAUGHAN REGIONAL MUNICIPALITY OF YORK



'Land Use Planning Through Experience and Innovation'

May 17, 2010 File No. 5182

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

Dear Sir:

Re: City of Vaughan DRAFT Official Plan Volume 1 – April 2010

10901 Highway #50 - East side of Highway 50 north of Nashville Road

Part of Lot 27, Concession 11

City of Vaughan File#OP.25.1

Weston Consulting Group Inc. (WCGI) is the planning consultant for Sagar Aggarwal being the owner of the property identified above.

The subject lands comprise a "through lot" with frontage on the east side of Highway No. 50 and the west side of Cold Creek Road, north of Nashville Road. The area of the property is approximately 4.33 ha (10.79 acres). The site is currently vacant. The site contains an existing watercourse in the southwest corner of the site which falls within the Toronto Region Conservation Authority ("TRCA") regulated area.

In 2000, the previous owner of the property, 1433666 Ontario Inc., submitted Official Plan and Zoning By-law Amendment applications to permit the development of the lands for trucking-related uses. These applications were approved by the City but were appealed by the Region of Peel, the City of Brampton and the Town of Caledon. The appeals were dismissed by the Ontario Municipal Board (PL020694) in its decision dated July 26, 2006 (attached).

OPA 570, as approved by the Ontario Municipal Board, permits "a truck dealership and repair facility, truck parking display, restaurant with a drive-through and refueling station" on the subject property. OPA 570 included the deletion of the "Valley and Stream Corridor designation, within the area of the subject property, with the concurrence of TRCA.

The amending zoning by-law, which was also approved, permits a motor vehicle sales establishment; a convenience eating establishment, either with or without a drive-through, and a truck refueling station.

The previous owner of the property did not proceed with the approved development. The new owner wishes to proceed with the same uses, and, in addition, an automobile service station and a hotel/motel. A banquet hall or conference centre is contemplated in conjunction with a hotel.

The draft Official Plan designates the subject lands as "Agricultural" and "Natural Areas" (Schedule 13-A), and places them within the "Future Strategic Employment Lands" (Schedule 14). The "Natural Areas" designation for the site represents the previous Valley and Stream Corridor designation.

We understand that staff do <u>not</u> intend to incorporate the site-specific provisions of OPA 570 into the new Official Plan. Also, the draft Official Plan, unlike the York Region Official Plan, does not contain any general policies recognizing existing uses or prior approvals.

The draft Official Plan, accordingly, would have a severe impact on the subject property. If the Official Plan does not recognize the previous approvals in some way, a future Zoning Bylaw update to implement the new Official Plan would have to downzone the subject property back to agricultural uses.

We would request that the previous approval be recognized in the new Official Plan by way of a site-specific policy. We also request that the range of uses be broadened to include additional complementary uses, i.e. an automobile service station, a hotel/motel, banquet hall and conference centre which would complement the other uses on the site.

We would also draw to your attention that there are other site-specific approvals and existing non-agricultural uses in this area which call into question the validity of the proposed "Agricultural" designation. There is little prospect that these lands will revert to agricultural uses.

We would request your positive consideration of our submission and would be pleased to discuss the matter further.

Yours truly,

Weston Consulting Group Inc.

Per:

Alan Young, BES MSc MCIP RPP

Senior Associate

cc. Sagar Aggarwal, Service Station Consulting Inc.

Diana Birchall, Director of Policy Pino DiMascio, Urban Strategies Emily Reisman, Urban Strategies Devisor order
2103
THE CITY OF VAUGHAN

By-lan 265-2002

BY-LAW

BY-LAW NUMBER 506-2001

A By-law to adopt Amendment Number 570 to the Official Plan of the Vaughan Planning Area.

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

- THAT the attached Amendment Number 570 to the Official Plan of the Vaughan Planning Area, 1. consisting of the attached text and Schedule(s) "1" and "2" is hereby adopted.
- 2. AND THAT the City Clerk is hereby authorized and directed to make application to the Regional Municipality of York for approval of the aforementioned Amendment Number 570 to the Official Plan of the Vaughan Planning Area.
- 3. AND THAT this By-law shall come into force and take effect on the day of the final passing thereof.

READ a FIRST, SECOND and THIRD time and finally passed this 18th day of December, 2001.

PURPOSE PURPOSE

The purpose of this Amendment to the Official Plan is to amend OPA #600 by redesignating the lands from "Rural Use Area" and "Valley and Stream Corridor" to "Rural Use Area" and to provide a site specific exception to the "Rural Use Area" policies to permit commercial development.

II LOCATION

The lands subject to this Amendment, herein after referred to as "Subject Lands", are shown on Schedules "1" and "2" hereto as "Area Subject to Amendment No. 570". The lands are located between Highway #50 and Cold Creek Road, north of Nashville Road, being 10901 Highway #50, in Lot 27, Concession 11, City of Vaughan.

III BASIS

The decision to amend the Official Plan to redesignate the subject lands from "Rural Use Area" and "Valley and Stream Corridor" to "Rural Use Area" is based on the following:

- 1. An Official Plan Amendment is required to permit commercial uses in the "Rural Use Area".
- On November 26, 2001, Vaughan Council approved Official Plan Amendment application
 OP.00.014 (Gilbert Michael Plummer).

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

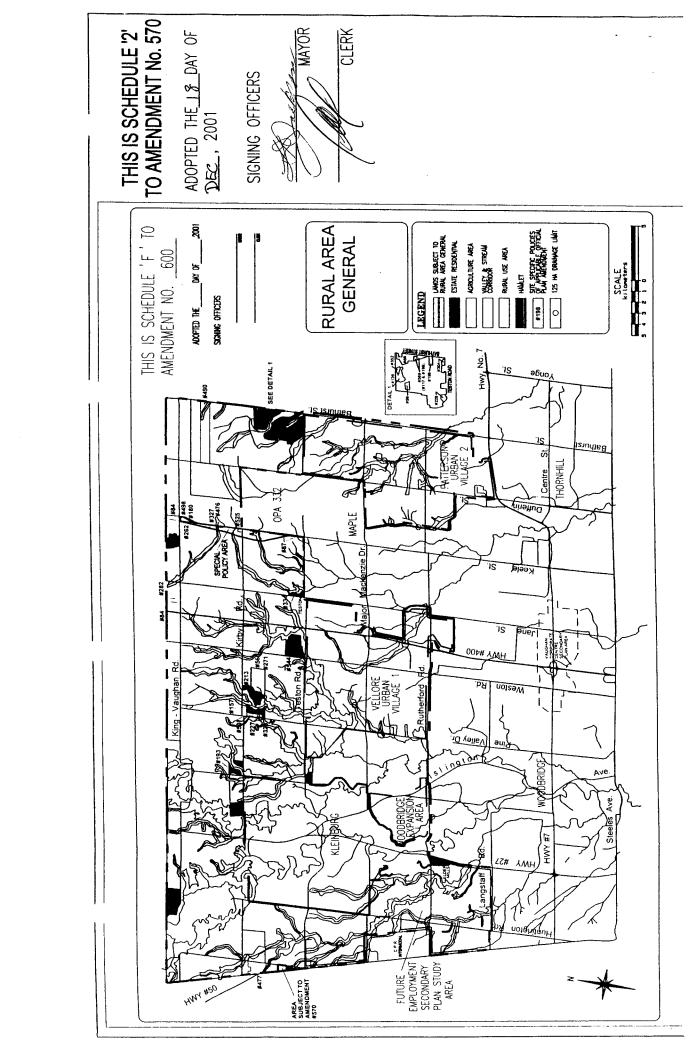
Amendment No.600 to the Official Plan of the Vaughan Planning Area is hereby amended by:

- a) Redesignating the lands shown as "Area Subject to Amendment No.570" on Schedules "1" and
 "2" attached hereto from "Rural Use Area" and "Valley and Stream Corridor" to "Rural Use Area".
- b) Adding the following to Section 6.2.1.1 Exceptions:
 - b) Notwithstanding the uses permitted on lands designated "Rural Use Area", a truck dealership and repair facility, truck parking and display, restaurant with a drive-through and re-fuelling station, may be permitted on the lands shown as "Area Subject to Amendment No. 570."



THIS IS SCHEDULE '1' TO AMENDMENT No. 570

ADOPTED THE 18 DAY OF DEC., 2001 SIGNING OFFICERS NOT TO SCALE **LEGEND** MAYOR LOCATION: PART OF LOT 27, CON. 11 THE CITY OF VAUGHAN PLANNING DEPT. RURAL USE AREA CLERK ROAD HIGHWAY -AREA SUBJECT TO AMENDMENT No. 570 -7 No. COLD 50



APPENDIX I

The subject lands are located between Highway #50 and Cold Creek Road, north of Nashville Road, being 10901 Highway #50, in Lot 27, Concession 11, City of Vaughan. At the Council Meeting of November 26, 2001, Council considered applications to amend the Official Plan and Zoning By-law and resolved:

"The Committee of the Whole recommends:

- That Official Plan Amendment Application OP.00.014 and Zoning By-law Amendment Z.00.064 (Gilbert Michael Plummer) be approved subject to an "H" holding symbol to be in place pending approval of the Site Plan Application;
- That the following report of the Commissioner of Planning, dated November 19, 2001, be received; and
- 3) That the deputation of Mr. Stephen G. Armstrong, Armstrong, Goldberg, Hunter, 9251 Yonge Street, Suite 302, Richmond Hill, L4C 9T3, on behalf of the applicant, and written submission dated November 13, 2001, be received.

APPENDIX II EXISTING LAND USE

OFFICIAL PLAN AMENDMENT No. 570 CITY OF VAUGHAN



NOT TO SCALE

LEGEND



AREA SUBJECT TO AMENDMENT No. 570



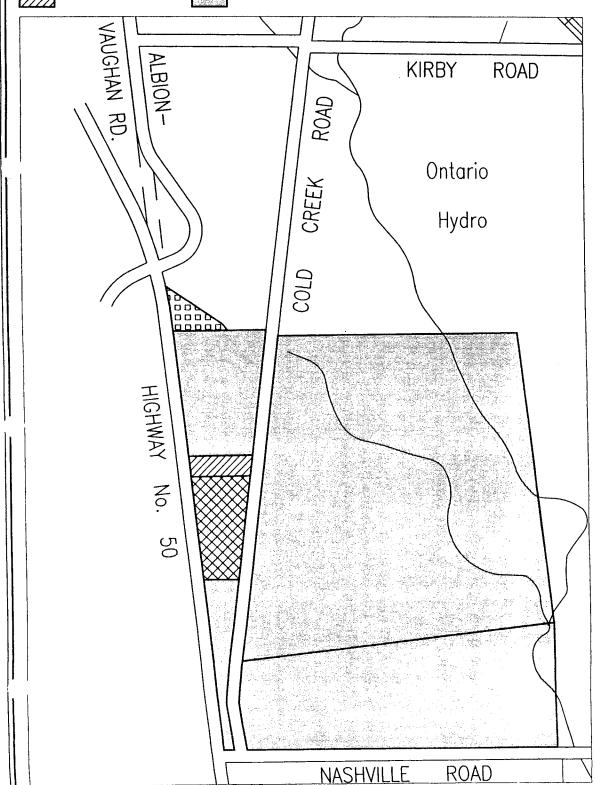
COMMERCIAL

LOCATION: PART OF LOT 27, CON. 11
THE CITY OF VAUGHAN PLANNING DEPT.

RESIDENTIAL



AGRICULTURAL





MUNICIPAL, PLANNING & DEVELOPMENT LAW

5 October 2010

Sent by Electronic Mail

Regional Municipality of York 17250 Yonge Street, 4th Floor Newmarket, ON L3Y 6Z1

Attention:

Augustine Ko, Planner

Planning Department

augustine.ko@york.ca

developmentservices@york.ca

Denis Kelly, City Clerk Clerks Department

denis.kelly@york.ca regionalclerk@york.ca

Dear Sirs:

Re: City of Vaughan Official Plan 2010

Notice of Decision Request

We are the solicitors for SmartCentres Inc., and related corporations Seven 427 Developments Inc., Calloway REIT (400 and 7) Inc., Calloway REIT (Sevenbridge) Inc., Calloway REIT (Westridge) Inc., Calloway REIT (Rutherford) Inc., Agau Developments Limited, M&M Home Office II Inc., M&M Home Office III Inc., First Vaughan Investments Limited, Major Weston Centres Limited, First Vaughan Investments Limited, all owners of lands within the City of Vaughan.

On behalf of our clients, we respectfully request that we be provided with the following in regard to the approvals process for the City of Vaughan Official Plan 2010, on an ongoing basis, as it becomes available:

- Notification of any statutory public meeting or information session;
- Notification of any other meetings of Regional Council or any Committee of Regional Council;
- Agenda and Minutes of Regional Council or Committee of Regional Council;
- Copies of any Staff Reports;
- Correspondence with commenting agencies;
- Public comments, including any correspondence with residents or other persons; and
- Notification of the decision(s) when issued.



5 October 2010

The above-requested information may be sent to our office at the following address:

Wood Bull LLP

65 Queen Street West, Suite 1400 Toronto, Ontario, M5H 2M5

Fax: 416-203-8324 <u>Attn:</u> Valeria Maurizio <u>vmaurizio@woodbull.ca</u>

Thank you in advance for your attention to this request. Should you have any questions regarding the above, please do not hesitate to contact me.

Yours very truly,

Wood Bull LLP

Valeria Maurizio

VM/sj

c. Paula Bustard

POUND & STEWART PLANNING CONSULTANTS • CITYPLAN.COM

October 5, 2010

BY REGULAR MAIL & EMAIL

Regional Municipality of York Corporate Services Department 17250 Yonge Street, 4th Floor Newmarket, Ontario L3Y 6Z1

Attn: Mr. Denis Kelly, Regional Clerk

Re: Adopted Vaughan Official Plan - OPGI Management LP o/a Oxford

We are the planners of record for OPGI Management LP o/a Oxford, and we are writing to request notification of any Regional decisions regarding the recently adopted Vaughan Official Plan. Please refer to the attached City of Vaughan By-law No. 235-2010.

Comments regarding Vaughan Official Plan were filed with the City on May 17, 2010 as part of the City's Official Plan Review process. (See attached written submission).

To the extent the local municipality did not incorporate our requests, we ask the Region to consider modifying Vaughan Official Plan to facilitate our requested changes.

If you have any questions or comments, please advise.

Yours truly,

Pound & Stewart Associates Limited

Philip J. Stewart, MCIP, RPP

/la

1704ltr.Region.Oct.05.10

Attachments: City of Vaughan By-law No. 235-2010

May 17, 2010 written submission to the City of Vaughan

cc. Mr. B. Tuckey, Commissioner of Planning & Development Services, Region of York (cover letter only)

cc. Mr. J. Zipay, Commissioner of Planning, City of Vaughan (cover letter only)

cc. Mr. A. Pickering, Oxford (cover letter only)

POUND & STEWART ASSOCIATES LIMITED

205 BELSIZE DRIVE, SUITE 101, TORONTO, ONTARIO, CANADA M4S 1M3 · 416 482 9797





May 17, 2010

DELIVERED

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

Attn: Chair & Members of Committee

Re: City of Vaughan Draft Official Plan – Statutory Public Meeting City File Ref. OP.25.1

We are the planners of record writing on behalf of OPGI Management LP o/a Oxford, the owner of properties located within the City of Vaughan. As per the City's protocol we are pleased to submit our attached initial comments regarding the City of Vaughan Draft Official Plan as recently released for public comment. Our comments are summarized in the attached Tables A-F, and Appendix 'A' comprised of text and supporting composite map schedule overlays.

We look forward to the City's consideration of our submission regarding proposed City-Wide and Site-Specific policies.

As well, please inform our office of upcoming dates regarding the processing of the draft Official Plan document and draft Secondary Plans. We look forward to future discussions with City Staff with respect to the content of our submission.

Yours truly,

Pound & Stewart Associates Limited

Philip Stewart, MCIP, RPP

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1704ltr_May.17.10

cc. Mr. Jeffrey A. Abrams, City Clerk, City of Vaughan

cc. Mr. John Zipay, Commissioner of Planning, City of Vaughan

cc. Mr. Alistair Pickering, Oxford



TABLE A – INITIAL COMMENTS ON BEHALF OF OPGI MANAGEMENT LP o/a OXFORD, REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

Draft Vaughan Official Plan Policy - April 2010

Comments / Recommendations

9.2 Land Use Designations and Permitted Buildings Types

9.2.2.9 General Employment

In areas designated on Schedule 13 as **General Employment**, the following policies shall apply:

a. **General Employment** *areas* shall be predominantly industrial areas characterized by low scale buildings with a variety of lot sizes to provide flexibility for attracting and accommodating a wide range of industrial and associated employment uses. While areas designated as **General Employment** will continue to accommodate vehicles and trucks, development in such areas shall be designed with pedestrian amenity to serve the daily employee population and to facilitate access to public transit.

This section should be amended as follows:

"General Employment areas shall be predominantly industrial areas characterized by low scale buildings with a variety of lot sizes to provide flexibility for attracting and accommodating a wide range of industrial and associated employment uses. Areas designated as General Employment will accommodate vehicles and trucks for freight handling including the pick-up, delivery and transitory storage raw materials and goods incidental to motor freight shipment directly related to the General Employment use. The development in such areas shall be designed with pedestrian amenity to serve daily employee population and to facilitate access to public transit."

It is not clear what "low scale" refers to. Is it the relationship of the building to the lot size, or is it physical height in storeys or otherwise?

- b. The following uses are permitted in areas designated as **General Employment,** in addition to those uses permitted through policy 9.2.1.9:
 - A full range of industrial uses including manufacturing, warehousing (but not a retail warehouse), processing, transportation, distribution, any of which may or may not include outdoor storage;
 - ii. Office and/or retail uses ancillary to and directly associated with any of the uses listed in policy 9.2.2.9.b.i. provided that:
 - A. the ancillary use is located on the same lot as the primary use;
 - B. the ancillary retail use is limited to no more than 10% of the total gross floor area of the primary use;
 - C. the ancillary office use is limited to no more than 40% of the total gross floor area of the primary use.

Is it appropriate to permit schools, as defined in the Official Plan (i.e. Elementary or Secondary School) in a **General Employment** area?

The fundamental difference between **General Employment** and **Prestige Employment** uses are that transportation and outdoor storage uses are allowed in **General Employment** and not allowed in **Prestige Employment**.

In the case of a property having both Prestige and General Employment designations, is transportation and outdoor storage allowed on the **General Employment** designated portion of the property?

It would appear that the **General Employment** designation would permit all of the land uses permitted in the **Prestige Employment** designation.

- A. An ancillary use can be located in a freestanding structure as long as it is located on the same lot as the primary use.
- *Note Ancillary use is not a defined term in the Official Plan.
- B. Is it necessary for the Official Plan to be specific with regards to limiting ancillary retail use to 10%? Is it not

TABLE A - INITIAL COMMENTS ON BEHALF OF OPGI MANAGEMENT LP o/a OXFORD, REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

	more appropriate to have this limitation referenced in the Zoning By-law instead?
c. The operation of any use must not result in a nuisance or have an adverse effect on neighbouring uses by virtue of the emission or discharge of noise, vibration, particulate, odour or other irritants.	Although it is understood that adverse effects are not desirable on neighbouring uses, General Employment uses by their nature, create varying degrees of these nuisances and adverse effects as referred to in 'c'. General Employment areas are industrial locations, and as a result this draft policy is too absolute in its meaning because it stipulates "any use must not result in." This policy, as written, is unrealistic in our opinion, and the objective of the policy would be better designed if it required appropriate mitigation of nuisances and adverse effects on

d. Separation distance guidelines prepared by the Ministry		
of Environment, or alternative measures shall be applied to		
achieve compatibility between uses in the General		
Employment designation and uses in other land-use		
designations.		
e. The following Building Types are permitted in General		

Draft Vaughan Official Plan Policy - April 2010

What is meant by "alternative measures"?

neighbouring uses.

Comments / Recommendations

We understand that the Ministry of the Environment is presently working on updates to their separation distance guidelines. This requires further discussion with staff for clarification

Employment areas, pursuant to policies in Section 9.2.3 of this Plan:

purposes.

i. Employment/Industrial Buildings; Low-Rise Buildings; and, ii.

iii. Mid-Rise Buildings;

9.2.3.7 Employment / Industrial Buildings Do these policies apply to new buildings or will they be retroactive to existing buildings that may be subject to The following policies and development criteria apply to Employment/Industrial Buildings: redevelopment? a. Employment/Industrial Buildings are buildings exclusively This requires further discussion with staff for clarification located within Employment Areas and are generally lowpurposes. rise in form. b. In order to provide convenient access for pedestrians This requires further discussion with staff for clarification and transit users, Employment/Industrial Buildings shall purposes. generally be oriented to front onto a public street and provide direct and safe pedestrian access, separated from parking lots, to any main building entrance. c. Employment/Industrial Buildings that do not front onto a This requires further discussion with staff for clarification public street are only permitted on lots where the majority purposes. of any frontage facing a public street is occupied by an Employment/Industrial Building that does front onto the public street. Such Employment/Industrial Buildings are required to provide direct and safe pedestrian access, separated from parking lots, to any main building entrance. d. Surface parking between the front or side of an Does "one aisle" mean double sided parking or single sided Employment/Industrial Building and a public street is parking? limited to one aisle of parking spaces and shall occupy no more than 50% of the building frontage.

<u>TABLE A</u> – INITIAL COMMENTS ON BEHALF OF OPGI MANAGEMENT LP o/a OXFORD, REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

Draft Vaughan Official Plan Policy – April 2010	Comments / Recommendations
e. All surface parking areas must provide a high level of landscaping treatment and pedestrian pathways. It is encouraged that the grading and landscaping materials for surface parking lots be designed as part of the site's stormwater management system.	This requires further discussion with staff for clarification purposes.
f. The rooftop of Employment/Industrial Buildings shall include landscaped green space, private outdoor amenity space or environmental features such as solar panels.	This requires further discussion with staff for clarification purposes.

TABLE B – INITIAL COMMENTS ON BEHALF OF OPGI MANAGEMENT LP o/a OXFORD, REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

Draft Vaughan Official Plan Policy – April 2010 Comments / Recommendations

9.2 Land Use Designations and Permitted Buildings Types

9.2.2.10 Prestige Employment	
In areas designated on Schedule 13 as Prestige	
Employment, the following policies shall apply:	
a. Prestige Employment <i>areas</i> shall be characterized by high quality buildings in an attractive pedestrian-friendly	This section should be amended as follows:
and transit-oriented working environment. A variety of lot	"Prestige Employment areas shall be characterized by high
sizes shall be made available in areas designated as Prestige	quality buildings in an attractive pedestrian-friendly and transit-oriented working environment. A variety of lot sizes
Employment to provide flexibility for attracting and	shall be made available in areas designated as Prestige
accommodating a wide range of employment uses.	Employment to provide flexibility for attracting and
	accommodating a wide range of employment uses. Areas
	designated as Prestige Employment will accommodate
	vehicles and trucks for freight handling including the pick-
	up, delivery and transitory storage of raw materials and
	goods incidental to motor freight shipment directly related
	to the Prestige Employment use."
b. Prestige Employment areas shall generally be located on	This requires further discussion with staff for clarification
arterial streets forming the edges of Employment Areas,	purposes.
and along 400-series highways, in order to:	
i. allow the areas to provide a transition between	
General Employment areas and more sensitive	
land uses,	
ii. locate greater intensity uses on key transportation	
routes, and iii. provide locational opportunities for activities	
which require high visual exposure and an	
attractive working environment.	
c. The following uses are permitted in areas designated as	This requires further discussion with staff for clarification
Prestige Employment, in addition to those uses permitted	purposes.
through policy 9.2.1.9:	F
i. Industrial uses including manufacturing, warehousing (but	In the case of a property having both Prestige and General
not a retail warehouse), processing, and distribution uses	Employment designations, is transportation and outdoor
located within wholly enclosed buildings and which do not	storage allowed on the General Employment designated
require outside storage. Outside storage is not permitted.	portion of the property?
ii. Office and or retail uses ancillary to and directly	*Note – Ancillary use is not a defined term in the Official
associated with any of the uses listed in policy 9.2.2.10.c.i.	Plan.
provided that:	
A. the ancillary use is located in the same building or	A. This policy indicates that an ancillary use cannot be
structure as the primary use;	located in a freestanding structure.
B. the ancillary retail use is limited to no more than	<u> </u>
10% of the total gross floor area of the primary	B. Is it necessary for the Official Plan to be specific with
use; and,	regards to limiting ancillary retail use to 10%? Is it not
C. the ancillary office use is limited to no more than	more appropriate to have this limitation referenced in the
7,500 square metres or 40% of the total gross floor area of the primary use, whichever is greatest.	Zoning By-law instead?
area or the primary use, winchever is greatest.	c. Is it appropriate to have 40% of the total GFA of the
	primary use as ancillary office use within Prestige
	printer y dae da differiar y office dae within Freatige

TABLE B - INITIAL COMMENTS ON BEHALF OF OPGI MANAGEMENT LP o/a OXFORD, REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

Draft Vaughan Official Plan Policy – April 2010	Comments / Recommendations
	Frankring at this will require a bigh modified down 12
iii. Office uses not ancillary to and directly associated with	Employment , as this will require a high parking demand? This policy allows up to 7,500 square metres (80,729 square
any of the uses listed in policy 9.2.2.10.c.i., up to a	feet) of freestanding office use in a Prestige Employment
maximum gross floor area of 7,500 square metres.	area.
	How is this affected by lot size?
iv. Retail uses not ancillary to and directly associated with	This requires further discussion with staff for clarification
any of the uses listed in policy 9.2.2.10.c.i., subject to the following conditions:	purposes.
A. the gross floor area of any one retail unit shall not	
exceed 185 square metres;	
B. the total gross floor area of all retail uses on any	
one lot shall not exceed 20% of the total gross	
floor area of all uses on the lot or 1,000 square	
metres, whichever is less; and, C. the retail use must be located within 200 metres	
of the intersection of two arterial streets as	
indicated on Schedule 9; and,	
v. Gas stations, subject to the following criteria:	This requires further discussion with staff for clarification
A. the use is located on an arterial street as indicated	purposes.
on Schedule 9;	
B. the use is limited to one gas station per intersection; and,	
C. no gas stations shall be permitted at the	
intersection of two arterial streets as indicated on	
Schedule 9.	
d. The operation of any use must not result in a nuisance or	Although it is understood that adverse effects are not
have an adverse effect on neighbouring uses by virtue of the emission or discharge of noise, vibration, particulate,	desirable on neighbouring uses, General Employment uses by their nature, create varying degrees of these nuisances
odour or other irritants.	and adverse effects as referred to in 'c'. General
	Employment areas are industrial locations, and as a result
	this draft policy is too absolute in its meaning because it
	stipulates "any use must not result in." This policy, as
	written, is unrealistic in our opinion, and the objective of
	the policy would be better designed if it required appropriate mitigation of nuisances and adverse effects on
	neighbouring uses.
e. Separation distance guidelines prepared by the Ministry	What is meant by "alternative measures"?
of Environment, or alternative measures shall be applied to	
achieve compatibility between uses in the Prestige	We understand that the Ministry of the Environment is
Employment designation and uses in other land-use designations.	presently working on updates to their separation distance guidelines.
f. The following Building Types are permitted in Prestige	This requires further discussion with staff for clarification
Employment areas pursuant to policies in Section 9.2.3 of	purposes.
this Plan:	
 Employment/Industrial Buildings; 	
ii. Low-Rise Buildings;	
iii. Mid-Rise Buildings; and,	
iv. Gas Stations.	

TABLE B – INITIAL COMMENTS ON BEHALF OF OPGI MANAGEMENT LP o/a OXFORD, REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

Draft Vaughan Official Plan Policy – April 2010	Comments / Recommendations

	T_ ,
9.2.3.7 Employment / Industrial Buildings	Do these policies apply to new buildings or retroactive to
The following policies and development criteria apply to	existing buildings that may be subject to change?
Employment/Industrial Buildings:	
a. Employment/Industrial Buildings are buildings exclusively	This requires further discussion with staff for clarification
located within Employment Areas and are generally low-	purposes.
<i>rise</i> in form.	
b. In order to provide convenient access for pedestrians	This requires further discussion with staff for clarification
and transit users, Employment/Industrial Buildings shall	purposes.
generally be oriented to front onto a public street and	
provide direct and safe pedestrian access, separated from	
parking lots, to any main building entrance.	
c. Employment/Industrial Buildings that do not front onto a	This requires further discussion with staff for clarification
public street are only permitted on lots where the majority	purposes.
of any frontage facing a public street is occupied by an	
Employment/Industrial Building that does front onto the	
public street. Such Employment/Industrial Buildings are	
required to provide direct and safe pedestrian access,	
separated from parking lots, to any main building entrance.	
d. Surface parking between the front or side of an	Does "one aisle" mean double sided parking or single sided
Employment/Industrial Building and a public street is	parking?
limited to one aisle of parking spaces and shall occupy no	
more than 50% of the building frontage.	
e. All surface parking areas must provide a high level of	This requires further discussion with staff for clarification
landscaping treatment and pedestrian pathways. It is	purposes.
encouraged that the grading and landscaping materials for	
surface parking lots be designed as part of the site's	
stormwater management system.	
f. The rooftop of Employment/Industrial Buildings shall	This requires further discussion with staff for clarification
include landscaped green space, private outdoor amenity	purposes.
space or environmental features such as solar panels.	

TABLE C – INITIAL COMMENTS ON BEHALF OF OPGI MANAGEMENT LP o/a OXFORD, REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

Draft Vaughan Official Plan Policy – April 2010	Comments / Recommendations

9.1.2 Urban Design and Built Form

9.1.2.1	What constitutes new development?
That new development shall respect and reinforce the existing and planned context within which it is situated. More specifically, the built form of new developments shall achieve the following general objectives:	
c. in Employment Areas , new development shall be located and organized, as set out in policy 9.1.2.6, to provide functional buildings, that meet the needs of employees that walk, cycle or take transit, and to limit any impacts on nearby Community Areas ;	This policy should also take into account the needs of employees who drive. Also, it needs to be acknowledged that functionality is important to the use within the building (i.e. manufacturing).

9.1.2.6 That in Employment Areas , new development will be designed to:	What constitutes new development?
a. allow for a variety of lot sizes and building sizes to accommodate a wide range of employment uses as permitted through Section 9.2 of this Plan;	This requires further discussion with staff for clarification purposes.
b. provide safe and direct access to buildings for pedestrians, cyclists and transit users;	This requires further discussion with staff for clarification purposes.
c. maximize the placement of buildings along the frontage of lots facing public streets and have regard for appropriate landscaping;	This may not be appropriate given the shape and functional requirements of the use.
d. limit surface parking between the front face of a building and the public street or sidewalk;	Needs clarification on how much surface parking is allowed between the front face of a building and the public street or sidewalk.
e. provide safe and direct pedestrian walkways from the public street and parking areas to main building entrances;	This requires further discussion with staff for clarification purposes.
f. ensure any surface parking areas are buffered and screened from all property lines through the use of setbacks and landscaping;	This requires further discussion with staff for clarification purposes.
g. ensure any outdoor storage areas, where permitted, are appropriately buffered and screened through the use of setbacks, landscaping and fencing; and,	This requires further discussion with staff for clarification purposes.
h. provide appropriate parks and open spaces as set out in Section 7.3.	This requires further discussion with staff for clarification purposes.

TABLE D – INITIAL COMMENTS ON BEHALF OF OPGI MANAGEMENT LP o/a OXFORD, REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

Draft Vaughan Official Plan Policy – April 2010 Comments / Recommendations

9.2.2 Land Use Designations

9.2.2.19 Infrastructure and Utilities	
In areas designated on Schedule 13 as Infrastructure and	
Utilities, the following policies shall apply:	
a. The Infrastructure and Utilities designation applies to	This requires further discussion with staff for clarification
lands which are used at grade for the provision of	purposes.
infrastructure, such as utility corridors and stormwater	F
management ponds.	
b. The following uses are permitted in areas designated as	Refer to the report Implementing the Provincial 'Growth
Infrastructure and Utilities:	Plan': Revitalizing a Strategic Employment Area By
i. all uses and structures associated with the provision of a	Optimizing the 'Parkway Belt West' Lands to Permit the
utility or municipal service;	'Vaughan Marshalling Yard' dated March 2010.
ii. at the discretion of the landowner, and where safety	
concerns are addressed if necessary, such lands may be	It is important that these policies d not undermine the
used for passive or active recreation, trails, allotment	Vaughan Marshalling Yard and Private Open Storage
gardening and urban agriculture;	objectives.
c. Notwithstanding policy 9.2.1.19.b, the following applies	This requires further discussion with staff for clarification
to the high pressure natural gas pipelines operated by	purposes.
TransCanada PipeLines Limited and identified on Schedule	•
12:	
i. No permanent building or structure may be	
located within 7 metres of the pipeline right-of-	
way. A reduction in the 7 metre setback shall only	
be considered if agreed to by TransCanada	
PipeLine Limited and if all necessary municipal approvals are obtained.	
ii. Accessory structures shall have a minimum	
setback of 3 metres from the limit of the pipeline	
right-of-way.	
iii. Where development is proposed within 750	
metres of a TransCanada compressor station,	
regard shall be given to noise levels. A noise and	
vibration study to be carried out by the proponent,	
to the satisfaction of the City, may be required.	
The study shall determine if applicable provincial	
guidelines can be achieved, and if necessary	
recommend appropriate mitigation measures.	
iv. The City shall encourage the development of the	
TransCanada right-of-way for passive recreation	
purposes subject to TransCanada's easement	
rights.	
d. Given the specialized nature of Infrastructure and	This requires further discussion with staff for clarification
Utilities, building types are not prescribed.	purposes.

<u>TABLE E</u> – INITIAL COMMENTS ON BEHALF OF OPGI MANAGEMENT LP o/a OXFORD, REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

Draft Vaughan Official Plan Policy – April 2010	Comments / Recommendations
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4.4 Rail and Goods Movement

4.4.2 Supporting Goods Movement	<u> </u>
Vaughan's large industrial and manufacturing base results in high levels of goods movement throughout the City and especially in <i>Employment Areas</i> . The movement of goods is an important contributor to Vaughan's economic wellbeing, and must be supported. While long distance goods movement by rail is generally more efficient than by truck, it is not always feasible. Vaughan has significant resources for goods movement, including the rail corridors and yards, the extensive Provincial highway network, numerous truck terminals and courier hubs; and proximity to Pearson International Airport.	
These resources provide the structure for integration of goods movement systems to ensure efficient and effective intermodal networks.	
Despite the significant economic benefits of goods movement, there are also adverse impacts, including emissions, noise and truck traffic. This may create additional conflicts as Vaughan grows and intensifies. These impacts are especially of concern in the Vaughan Metropolitan Centre, where Vaughan's largest Intensification Area (a provincially designated Urban Growth Centre) is surrounded by Employment Areas. The impact of this can be mitigated by providing direct access from Employment Areas to Provincial highways and limiting heavy truck traffic-generating uses near Intensification Areas.	
It is the policy of Council:	
4.4.2.1. To support an integrated and efficient transportation network for goods movement, including rail, truck and air travel.	This requires further discussion with staff for clarification purposes.
4.4.2.2. To work with York Region, Metrolinx, the Province and other agencies to plan for a comprehensive and integrated goods movement system.	This requires further discussion with staff for clarification purposes.
4.4.2.3. To support convenient access to rail and highway networks from Employment Areas and fast and convenient interchanges for transferring goods between truck and rail.	This requires further discussion with staff for clarification purposes.
4.4.2.4. To encourage employment uses that generate heavy truck traffic to locate in areas near and adjacent to access to Provincial highways.	This requires further discussion with staff for clarification purposes.
4.4.2.5. To work with York Region and the Province to develop and implement a comprehensive network of truck routes to:	This requires further discussion with staff for clarification purposes.

TABLE E – INITIAL COMMENTS ON BEHALF OF OPGI MANAGEMENT LP o/a OXFORD, REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

Draft Vaughan Official Plan Policy – April 2010	Comments / Recommendations
 a. support efficient truck movement; b. minimize heavy trucks travelling through Intensification Areas and Community Areas; c. minimize adverse impacts on non-employment land uses; and 	
 d. minimize risks posed by potentially hazardous goods. 	
4.4.2.6. To minimize truck activity outside of Employment Areas and to reduce adverse impacts from truck traffic on Community Areas and <i>Intensification Areas</i> .	This requires further discussion with staff for clarification purposes.
4.4.2.7. To ensure that Employment Areas have sufficient truck access in order to support operations.	This requires further discussion with staff for clarification purposes.
4.4.2.8. To work with York Region and the Province to develop and implement a goods movement master plan for the Vaughan Metropolitan Centre and surrounding Employment Areas to mitigate the adverse impacts of truck traffic.	This requires further discussion with staff for clarification purposes.

<u>TABLE F</u> – INITIAL COMMENTS ON BEHALF OF OPGI MANAGEMENT LP o/a OXFORD, REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

Draft Vaughan Official Plan Policy – April 2010	Comments / Recommendations
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4.3 Managing Movement

7.3 1916	4.3 Ivianaging Movement		
_			
4.3.2 P	arking		
Vehicle	parking is an important part of transportation		
systems	, but must be managed properly to minimize		
adverse	impacts. Generally, surface parking underutilizes		
urban s	pace, creates gaps in the urban fabric and		
encoura	ges driving over other modes.		
Parking	will continue to be provided in Vaughan, but in a		
style an	d amount that contributes positively to		
placema	aking and does not threaten the quality and		
attractiv	veness of other means of transportation. Increased		
permiss	ions for on-street parking will support retail and		
	ic development, contribute to a high quality		
streetso	ape and calm traffic. Lower parking requirements		
	red parking facilities will reduce parking lot sizes		
	ate a higher quality and compact urban		
	ment. Generally, parking will reflect Vaughan's		
	s a major, growing, transit-supportive and		
	ian-friendly city, and will be responsive to all types		
of move	ement.		
	li 60 ii		
	policy of Council:		
	To consider establishing a municipal parking	This requires further discussion with staff for clarification	
authori	•	purposes.	
a.	review and manage on-street parking policies;		
b.	provide and manage an appropriate parking		
	supply;		
c.	develop a pay-for-parking system for on-street		
	parking in high parking demand locations		
	throughout the City, including <i>Intensification</i>		
	Areas;		
d.	provide shared, central parking facilities in high-		
	demand locations; and,		
е.			
	To reduce parking requirements where feasible by:	This requires further discussion with staff for clarification	
a.	establishing minimum and maximum parking	purposes.	
	standards in zoning by-laws for all types of		
	development;		
b.	establishing context-sensitive parking		
	requirements that respond to diverse settings,		
	including <i>Intensification Areas</i> , historic places and		
	other settings;		
c.	reducing parking requirements in <i>Intensification</i>		
	Areas where transit, walking and cycling		
	alternatives exist;		
d.	supporting parking for carpool, carshare, and zero	•	

<u>TABLE F</u> – INITIAL COMMENTS ON BEHALF OF OPGI MANAGEMENT LP o/a OXFORD, REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

Draft Vaughan Official Plan Policy – April 2010	Comments / Recommendations
emission vehicles through preferential designated parking spots and/or reduced parking fees, where charged by a municipal parking authority, as appropriate; e. considering the variability of peak parking periods	
throughout the day for different types of uses for the purposes of sharing parking between such uses when developing parking standards in mixed-use areas;	
 f. working with the school boards to reduce or preferably eliminate the provision of student parking; 	
 g. considering the availability of on-street parking on collector and local streets when determining parking requirements; and, 	
 regularly reviewing and evaluating city-wide parking standards to ensure that parking needs are met while minimizing the provision of excess parking. 	
4.3.2.3. To consider developing guidelines for cash-in-lieu of	This requires further discussion with staff for clarification
parking in <i>Intensification Areas</i> where it can be	purposes.
demonstrated that parking reductions will not have adverse	
spill-over impacts on surrounding areas, and where the provision of on-street or municipally-provided parking can	
meet additional parking needs. Revenue generated from	
cash-in-lieu of parking would be used to support facilities	
for parking, transit, bicycling and walking.	
4.3.2.4. To encourage and support the development of	This requires further discussion with staff for clarification
central, shared parking facilities in the Intensification	purposes.
Areas, which may result in greater parking and land use	
efficiencies. Such facilities are encouraged to be provided	
below grade.	
4.3.2.5. To work with York Region and the City of Toronto	This requires further discussion with staff for clarification
to permit on-street parking on arterial streets where	purposes.
appropriate and where it may support retail and economic development, contribute to a high quality streetscape and a	
more active street life. The provision of on-street parking in	
other areas of the City, as needed and/or appropriate, may	
also be considered.	
4.3.2.6. To ensure accessible parking supply and design	This requires further discussion with staff for clarification
requirements are coordinated with provincial standards	purposes.
developed under the Accessibility for Ontarians with	
Disabilities Act, as amended, and to monitor the utilization	
of accessible parking to ensure its adequacy relative to	
demand, recognizing the aging population.	
4.3.2.7. To require that parking lots and structures be	This requires further discussion with staff for clarification
developed as high-quality examples of good urban design	purposes.
and sustainability, with particular emphasis placed on	
permeability and safety for pedestrians and cyclists, landscaping and vegetation, stormwater management, high	
ianuscaping and vegetation, stormwater management, nigh	

<u>TABLE F</u> – INITIAL COMMENTS ON BEHALF OF OPGI MANAGEMENT LP o/a OXFORD, REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

Draft Vaughan Official Plan Policy – April 2010	Comments / Recommendations
quality lighting, signage and materials and a range of parking space types, including parking for smaller fuel efficient vehicles and bicycles.	
4.3.2.8. Where parking structures face arterial and collector streets the ground floor frontage shall predominantly consist of retail uses or other active uses that animate the street.	This requires further discussion with staff for clarification purposes.
4.3.2.9. That municipal design guidelines for parking lots and structures shall be established to guide the development of parking facilities.	This requires further discussion with staff for clarification purposes.

APPENDIX 'A'

Initial Comments on behalf of OPGI Management LP o/a Oxford, regarding Draft April 2010 City of Vaughan Official Plan (Volume 1) with respect to the Vaughan Industrial Park properties (outlined in red)

1) Schedule 1 Urban Structure

The Highway 427 boundary extends into the western portion of the subject 'Employment Areas' designation, specifically affecting properties 71, 81 and 91 Royal Group Crescent. (Refer to Map 'A')

2) Schedule 1 Urban Structure

The boundary of 'Natural Areas and Countryside' requires clarification and refinement as it extends into the southwest quadrant of 91 Royal Group Crescent. The Regulation Limit of the Toronto and Region Conservation Authority (TRCA) as set out on the attached Overlay Mapping is more representative on the actual context. The 'Natural Areas and Countryside' designation should be revised to more accurately reflect existing land use.

This comment also applies similarly to Schedule 2 Natural Heritage Network in terms of 'Core Features', Schedule 13 Land Use in terms of 'Natural Areas' and Schedule 13-P Land Use in terms of 'Natural Areas'. (Refer to Map 'B')

3) Schedule 1 Urban Structure

The 'Natural Areas and Countryside' designation per the City Schedule 1 Urban Structure in comparison with the Region of York Official Plan is confusing as the subject properties are located in an 'Urban Area' and are not 'Countryside'. 'Countryside' is a term that is predominantly applied to the Greenbelt and the Oak Ridges Moraine Plan areas.

4) Schedule 2 Natural Heritage Network

The boundary of 'Core Features' requires clarification and refinement as it extends into the southwest quadrant of the 91 Royal Group Crescent property. The TRCA Regulation Limit as set out on the attached overlay mapping is more representative on the actual context. The location of the 'Core Features' designation should be revised to more accurately reflect existing land use. (Refer to Map 'C')

5) Schedule 13

Highway 427's eastern boundaries are more in line with the western edge of Oxford's properties and better represent the land use designation boundaries.

APPENDIX 'A'

Initial Comments on behalf of OPGI Management LP o/a Oxford, regarding Draft April 2010 City of Vaughan Official Plan (Volume 1) with respect to the Vaughan Industrial Park properties (outlined in red)

Under the legend, reference is made to 'Parkway Belt West Lands' and 'Infrastructure and Utilities. In real terms 'Infrastructure and Utilities comprise the "Parkway Belt West Lands." The structure of the legend and the two designations are misleading.

Schedules 1 and 13 conflict with each other, as some uses are inconsistent (i.e. lands recognized as "Natural Areas and Countryside" in Schedule 1 are not recognized as "Natural Areas" in Schedule 13).

6) Schedule 9

The local road system could be more properly represented as it relates to Oxford's properties. The local road system does not include Roybridge Gate. Roybridge Gate provides improved access to the Vaughan Industrial Park and removes pressure off of Highways 7 and 27. (Refer to Map 'D')

7) Schedule 13 Land Use

The western edge of Highway 27, south of Highway 7 is designated as Parkway Belt West Lands which is not the case. (Refer to Map 'E')

8) Schedule 1 Urban Structure

Hydro lines partially traverse into 'Employment Areas' (west of Hwy 427) according to Schedule 1 Urban Structure. Confirmation is required with regard to the 'Employment Areas' designation in relation to the Parkway Belt West Plan (specifically the Northern Link – Milton to Woodbridge). (Refer to Map 'F')

9) Schedule 9 Future Transportation Network

Highway 27 is recognized as a 'Major Arterial (Regional)'per Schedule 9 Future Transportation Network. (Refer to Map 'D') There appears to be inconsistency between the actual and proposed right-of-way width. For example, the physical right-of-way of Highway 27 is approximately 80 m. However, under the Regional Official Plan, "Regional Plan Basic Street Widths," Highway 27 is described as having a right-of-way of "up to 43 m."

If the 80 m Highway 27 r.o.w. is to be preserved, then the proposed City of Vaughan Land Use Schedules showing respective 'Employment Areas' and 'Prestige Employment' designations may technically encroach into the Regional Road right-of-ways.

APPENDIX 'A'

Initial Comments on behalf of OPGI Management LP o/a Oxford, regarding Draft April 2010 City of Vaughan Official Plan (Volume 1) with respect to the Vaughan Industrial Park properties (outlined in red)

10) Schedule 10

There is a need to confirm the intent of the Regional orange and green rapid transit designations. (Refer to Map 'G')

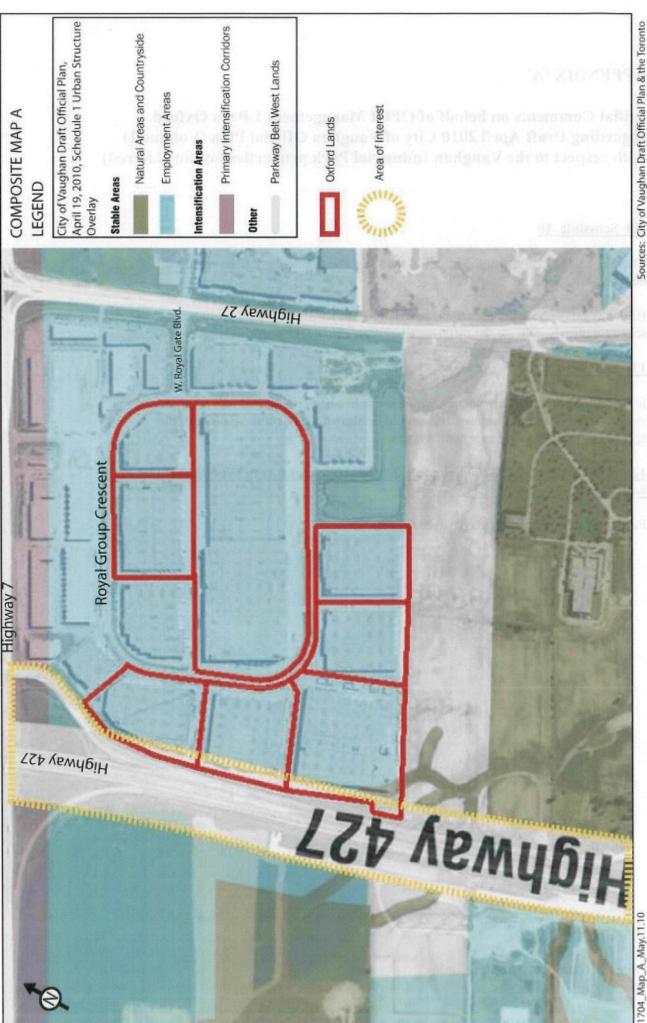
Highway bus service appears to be an existing service along Highway 407. Does the schedule clearly indicate the difference between existing or proposed transit services?

11) Schedule 11

In developed urban areas, where a watercourse has been integrated into an approved stormwater system, the watercourse should be shown to reflect the pattern of the approved stormwater management system.

12) Composite of OPA 450 Schedule 2 'A' Employment Area West Structural Plan with Schedule 13 Land Use

For comparison purposes (Refer to Map 'H')



Sources: City of Vaughan Draft Official Plan & the Toronto

AERIAL PORTFOLIO SERVICES PLANNING CONSULTANTS . CITYPLAN.COM POUND & STEWAR

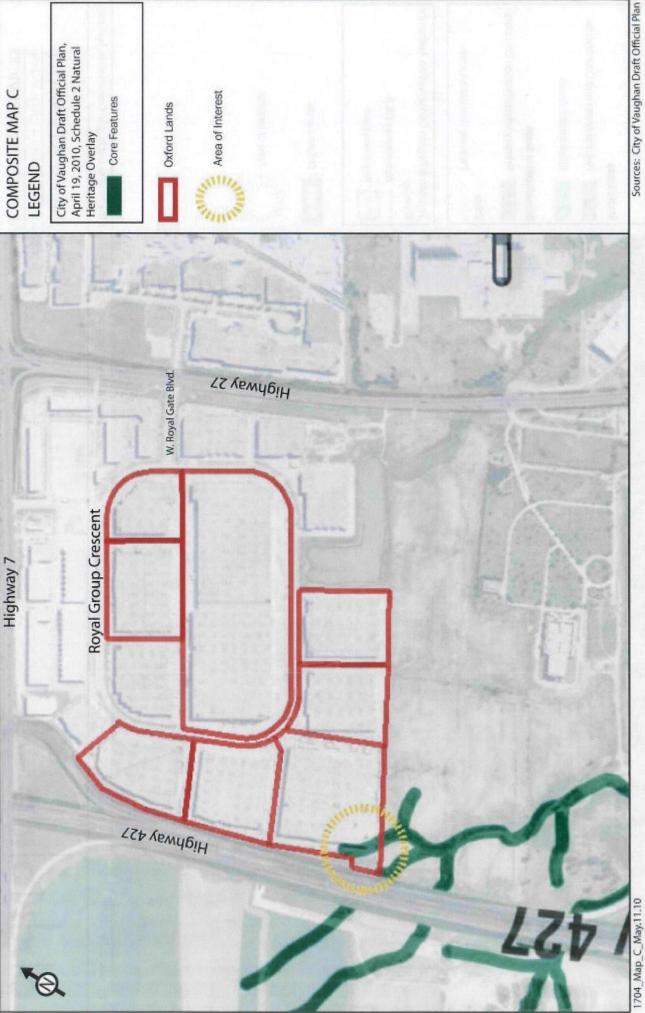
OXFORD



Sources: City of Vaughan Draft Official Plan & the Toronto and Region Conservation Authority

OXFORD

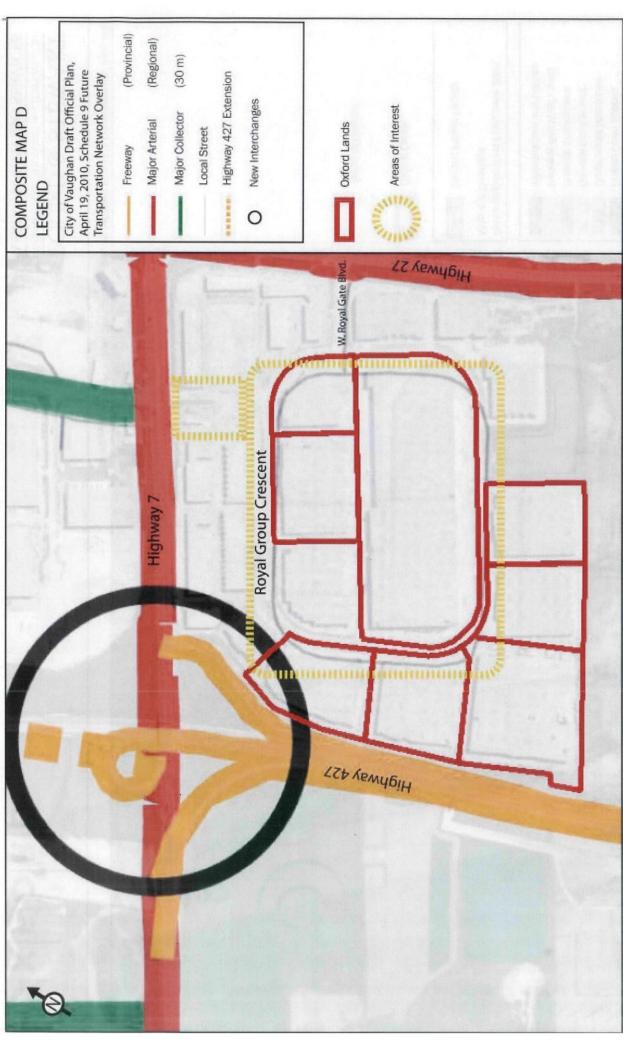
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AERIAL PORTFOLIO SERVICES

OXFORD



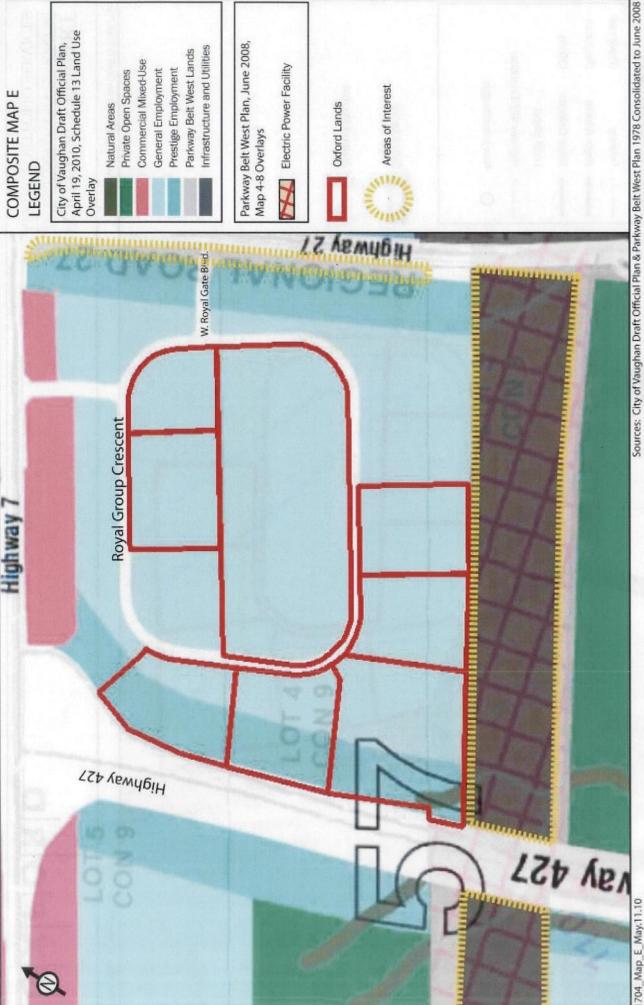
Sources: City of Vaughan Draft Official Plan

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OXFORD

1704_Map_D_May.11.10



COMPOSITE MAP E

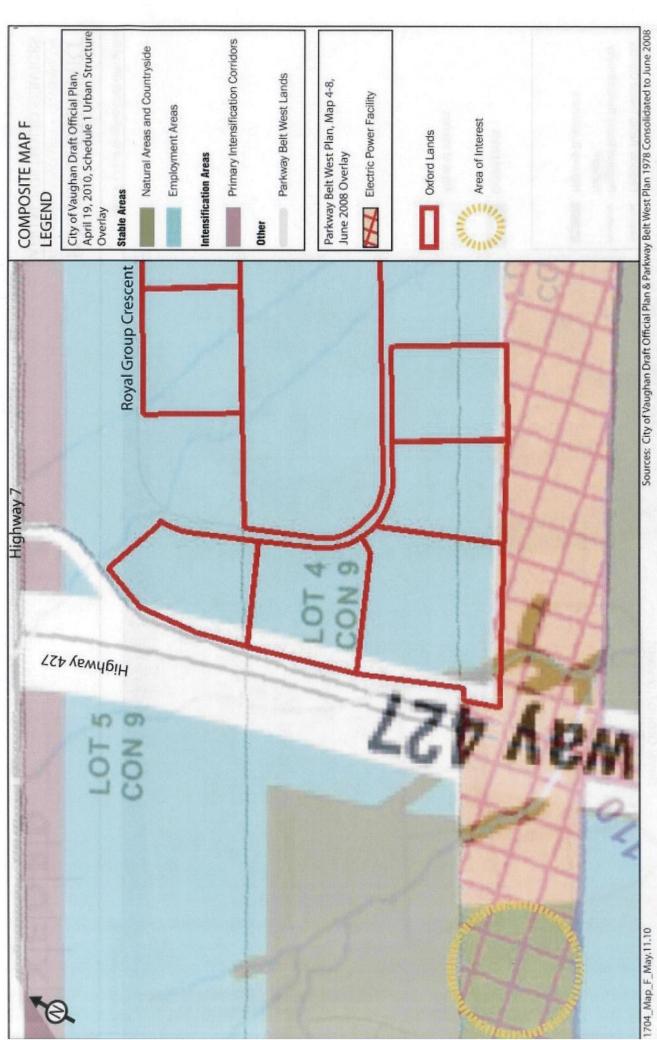
April 19, 2010, Schedule 13 Land Use City of Vaughan Draft Official Plan,

Infrastructure and Utilities Parkway Belt West Lands

Areas of Interest

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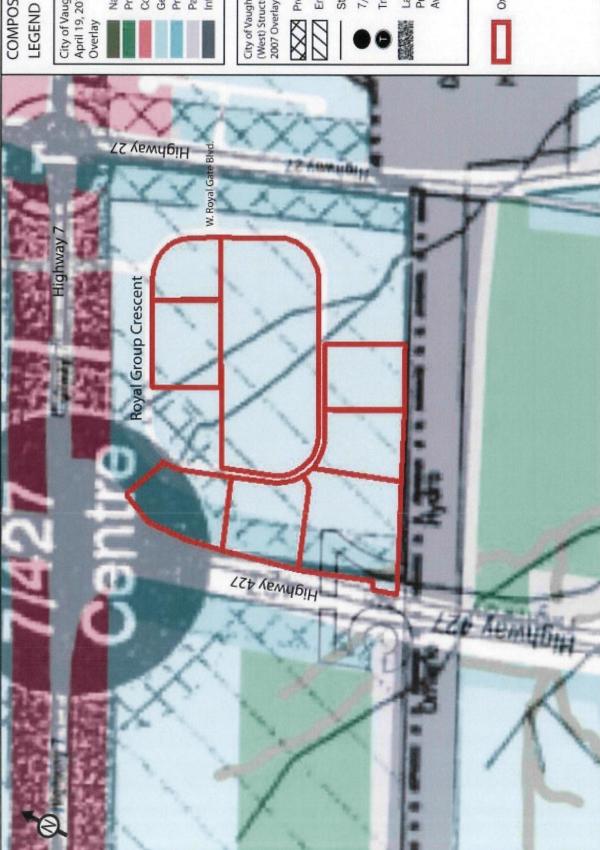
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COMPOSITE MAP H

April 19, 2010, Schedule 13 Land Use City of Vaughan Draft Official Plan,

Natural Areas

Commercial Mixed-Use General Employment Private Open Spaces

Prestige Employment

Infrastructure and Utilities Parkway Belt West Lands

City of Vaughan, OPA 660 - Employment Area (West) Structural Plan, Schedule 'B', June 25, 2007 Overlay

XX Prestige Area

Employment Area General

Stream Corridors

7/427 Centre

Transit Stop Centre

Lands to be redesignated to Prestige Areas - Centre + Avenue 7 Corridor

Oxford Lands

OXFORD

1704_Map_H_May.11.10

POUND & STEWART

Sources: City of Vaughan Draft Official Plan & City of Vaughan, OPA 660 - Employment Area (West) Structural Plan

AERIAL PORTFOLIO SERVICES PLANNING CONSULTANTS • CITYPLAN.COM

Ko, Augustine

From:

Kelly, Denis

Sent:

October 6, 2010 8:50 AM

To:

Gallant, Michelle

Subject:

FW: Adopted Vaughan Official Plan - OPGI Management LP o/a Oxford

Attachments: 1704ltr.Region.Oct.05.10.pdf; Vaughan By-law 235-2010.pdf;

Vaughan.OP_Oxford.Submission_May.17.2010.pdf

From: Pound & Stewart Associates Limited [mailto:info@cityplan.com]

Sent: Tuesday, October 05, 2010 4:46 PM

To: Kelly, Denis

Cc: Tuckey, Bryan; 'Zipay, John'; 'Alistair Pickering'

Subject: Adopted Vaughan Official Plan - OPGI Management LP o/a Oxford

Mr. Kelly,

Please refer to the attached letter and supporting documentation which will follow by regular mail.

If you have any questions or comments in the meantime please advise.

Thank-you

Phil Stewart, MCIP, RPP Principal pstewart@cityplan.com

POUND & STEWART PLANNING CONSULTANTS • CITYPLAN.COM AERIAL PORTFOLIO SERVICES

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France Kelly, Den

W.

lent: October 6, 2010 8:50 AM

To: Gailatt, Wiche

Subject: FW: Adopted Vaughan Official Plan - OPSI Management LP o/a Oxford

Attachments: 1704lit. Region Out.65.10.pdf; Vaughan By-law 235-2016 pdf;

From: Pound & Stewart Associates Limited [mailto:info@cityplan.com]

To: Kelly, Dents

Ca: Tuckey, Bryan: 'Zipay, John': 'Alistair Pickering

Subject: Adopted Valighan Official Plan - OPGI Management LP o/a Oxford

Mr. Kelly.

Please refer to the attached letter and supporting documentation which will follow by regular mall.

If you have any questions or comments in the mountime please advise.

Thank-you

Phil Stawart, WOIP, RPP Principal

POUND & STEWART

A CELAL DOCUMENT OF STEVENS

305 Peniraw Gr. Suito 101, Markhum, Ontario L3R 951 Markham Office: 906 305 9797 Ext. 27 Forento Office: 416 462 9797 Ext. 27 Fax: 416 692 9629 Foil Free: 1 800 250 9056



October 5, 2010

BY REGULAR MAIL & EMAIL

Regional Municipality of York Corporate Services Department 17250 Yonge Street, 4th Floor Newmarket, Ontario L3Y 6Z1

Attn: Mr. Denis Kelly, Regional Clerk

Re: Vaughan Official Plan - Royal Group, Inc.

We are the planners of record for Royal Group, Inc., and we are writing to request notification of any Regional decisions regarding the recently adopted Vaughan Official Plan. Please refer to the attached City of Vaughan By-law No. 235-2010.

Comments regarding Vaughan Official Plan were filed with the City on June 7, 2010 as part of the City's Official Plan Review process. (See attached written submission).

To the extent the local municipality did not incorporate our requests, we ask the Region to consider modifying Vaughan Official Plan to facilitate our requested changes.

If you have any questions or comments, please advise.

Yours truly,

Pound & Stewart, Associates Limited

Philip J. Stewart, MCIP, RPP

/1a

1712ltr.Region.Oct.05.10

Attachments: City of Vaughan By-law No. 235-2010

June 7, 2010 written submission to the City of Vaughan

cc. Mr. B. Tuckey, Commissioner of Planning & Development Services, Region of York (cover letter only)

cc. Mr. J. Zipay, Commissioner of Planning, City of Vaughan (cover letter only)

cc. Messrs. C. Elder & J. Nashmi, Royal Group, Inc. (cover letter only)

cc. Mr. R. Gray, Gray & Associates (cover letter only)

POUND & STEWART ASSOCIATES LIMITED



			, '

POUND & STEWART PLANNING CONSULTANTS • CITYPLAN.COM

June 7, 2010

DELIVERED

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

Attn: Mr. Jeffrey A. Abrams, City Clerk, City of Vaughan

Re: City of Vaughan Draft Official Plan – Submission of Comments On Behalf of Royal Group, Inc. City File Ref. OP.25.1

We are the planners of record writing on behalf of Royal Group, Inc., (Royal) the owner and lessee of properties located within the City of Vaughan. As per the City's protocol we are pleased to submit our attached initial comments regarding the City of Vaughan Draft Official Plan as recently released for public comment. Our comments are summarized in the attached Tables A-H, and Appendix 'A' comprised of text and supporting composite map schedule overlays.

With respect to the Royal properties located at 131 and 155 Regalcrest Court, Draft Schedules 1, 13 and 13P describe "Employment Area" per Draft Schedule 1 and "Commercial Mixed-Use" per Draft Schedules 13 and 13P. Our client is in support of the proposed "Commercial Mixed-Use" designation per Draft Schedules 13 and 13P as a long-term intent as it relates to 131 and 155 Regalcrest Court. Notwithstanding the foregoing our client seeks confirmation that the existing "Employment Area" – "Employment Area General" (per OPA 450) industrial site and buildings located at 131 and 155 Regalcrest Court are recognized as lawful permitted uses which may be continued in their present form in perpetuity. It is our client's intent to apply for a Zoning By-law Amendment in the near future to permit Outside Storage which provides for the recognition of this use, integral to the existing manufacturing, warehousing and distribution functions of the subject lands. To achieve this objective, the lands currently zoned EM1 – PRESTIGE EMPLOYMENT AREA ZONE are proposed to be rezoned EM2 – GENERAL EMPLOYMENT AREA ZONE per Zoning By-law 1-88, as amended accordingly.

We look forward to the City's consideration of our submission regarding proposed City-Wide and Site-Specific policies.

As well, please inform our office of upcoming dates regarding the processing of the draft Official Plan document and draft Secondary Plans. We look forward to future discussions with City Staff with respect to the content of our submission.

Yours truly,

Pound & Stewart Associates Limited

Philip Stewart, MCIP, RPP

la/

1712ltr_June.07.10

cc. Mr. John Zipay, Commissioner of Planning, City of Vaughan

cc. Messrs. C. Elder & J. Nashmi, Royal Group, Inc.

cc. Mr. Robert Gray, Gray & Associates Limited

<u>TABLE A</u> – INITIAL COMMENTS ON BEHALF OF ROYAL GROUP, INC. REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

Draft Vaughan Official Plan Policy - April 2010

Comments / Recommendations

9.2 Land Use Designations and Permitted Buildings Types

9.2.2.9 General Employment

In areas designated on Schedule 13 as **General Employment**, the following policies shall apply:

a. General Employment areas shall be predominantly industrial areas characterized by low scale buildings with a variety of lot sizes to provide flexibility for attracting and accommodating a wide range of industrial and associated employment uses. While areas designated as General Employment will continue to accommodate vehicles and trucks, development in such areas shall be designed with pedestrian amenity to serve the daily employee population and to facilitate access to public transit.

This section should be amended as follows:

"General Employment areas shall be predominantly industrial areas characterized by low scale buildings with a variety of lot sizes to provide flexibility for attracting and accommodating a wide range of industrial and associated employment uses. Areas designated as General Employment will accommodate vehicles and trucks for freight handling including the pick-up, delivery and transitory storage raw materials and goods incidental to motor freight shipment directly related to the General Employment use. The development in such areas shall be designed with pedestrian amenity to serve daily employee population and to facilitate access to public transit."

It is not clear what "low scale" refers to. Is it the relationship of the building to the lot size, or is it physical height in storeys or otherwise?

Also refer to our Table B-2, Section 9.2.2.7 Commercial Mixed-Use, (a).

- b. The following uses are permitted in areas designated as **General Employment,** in addition to those uses permitted through policy 9.2.1.9:
 - A full range of industrial uses including manufacturing, warehousing (but not a retail warehouse), processing, transportation, distribution, any of which may or may not include outdoor storage;
 - ii. Office and/or retail uses ancillary to and directly associated with any of the uses listed in policy 9.2.2.9.b.i. provided that:
 - A. the ancillary use is located on the same lot as the primary use;
 - B. the ancillary retail use is limited to no more than 10% of the total gross floor area of the primary use;
 - C. the ancillary office use is limited to no more than 40% of the total gross floor area of the primary use.

Is it appropriate to permit schools, as defined in the Official Plan (i.e. Elementary or Secondary School) in a **General Employment** area?

The fundamental difference between **General Employment** and **Prestige Employment** uses are that transportation and outdoor storage uses are allowed in **General Employment** and not allowed in **Prestige Employment**.

In the case of a property having both Prestige and General Employment designations, is transportation and outdoor storage allowed on the **General Employment** designated portion of the property?

It would appear that the **General Employment** designation would permit all of the land uses permitted in the **Prestige Employment** designation.

- A. An ancillary use can be located in a freestanding structure as long as it is located on the same lot as the primary use.
- *Note Ancillary use is not a defined term in the Official Plan.

<u>TABLE A</u> – INITIAL COMMENTS ON BEHALF OF ROYAL GROUP, INC. REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

Draft Vaughan Official Plan Policy – April 2010	Comments / Recommendations
	B. Is it necessary for the Official Plan to be specific with regards to limiting ancillary retail use to 10%? Is it not more appropriate to have this limitation referenced in the Zoning By-law instead?
c. The operation of any use must not result in a nuisance or have an adverse effect on neighbouring uses by virtue of the emission or discharge of noise, vibration, particulate, odour or other irritants.	Although it is understood that adverse effects are not desirable on neighbouring uses, General Employment uses, by their nature, create varying degrees of these nuisances and adverse effects as referred to in 'c'. General Employment areas are industrial locations, and as a result this draft policy is too absolute in its meaning because it stipulates "any use must not result in." This policy, as written, is unrealistic in our opinion, and the objective of the policy would be better designed if it required appropriate mitigation of nuisances and adverse effects on neighbouring uses.
d. Separation distance guidelines prepared by the Ministry of Environment, or alternative measures shall be applied to	What is meant by "alternative measures"?
achieve compatibility between uses in the General Employment designation and uses in other land-use designations.	We understand that the Ministry of the Environment is presently working on updates to their separation distance guidelines.
e. The following Building Types are permitted in General Employment areas, pursuant to policies in Section 9.2.3 of this Plan: i. Employment/Industrial Buildings; ii. Low-Rise Buildings; and, iii. Mid-Rise Buildings;	This requires further discussion with staff for clarification purposes.

9.2.3.7 Employment / Industrial Buildings The following policies and development criteria apply to Employment/Industrial Buildings:	Do these policies apply to new buildings or retroactive to existing buildings that may be subject to change?
a. Employment/Industrial Buildings are buildings exclusively located within Employment Areas and are generally <i>low-rise</i> in form.	This requires further discussion with staff for clarification purposes.
b. In order to provide convenient access for pedestrians and transit users, Employment/Industrial Buildings shall generally be oriented to front onto a public street and provide direct and safe pedestrian access, separated from parking lots, to any main building entrance.	This requires further discussion with staff for clarification purposes.
c. Employment/Industrial Buildings that do not front onto a public street are only permitted on lots where the majority of any frontage facing a public street is occupied by an <i>Employment/Industrial Building</i> that does front onto the public street. Such Employment/Industrial Buildings are required to provide direct and safe pedestrian access, separated from parking lots, to any main building entrance.	This requires further discussion with staff for clarification purposes.
d. Surface parking between the front or side of an Employment/Industrial Building and a public street is	Does "one aisle" mean double sided parking or single sided parking?

<u>TABLE A</u> – INITIAL COMMENTS ON BEHALF OF ROYAL GROUP, INC. REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

Draft Vaughan Official Plan Policy – April 2010	Comments / Recommendations
limited to one aisle of parking spaces and shall occupy no more than 50% of the building frontage.	
e. All surface parking areas must provide a high level of landscaping treatment and pedestrian pathways. It is encouraged that the grading and landscaping materials for surface parking lots be designed as part of the site's stormwater management system.	This requires further discussion with staff for clarification purposes.
f. The rooftop of Employment/Industrial Buildings shall include landscaped green space, private outdoor amenity space or environmental features such as solar panels.	This requires further discussion with staff for clarification purposes.

<u>TABLE B-1</u> – INITIAL COMMENTS ON BEHALF OF ROYAL GROUP, INC. REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

Draft Vaughan Official Plan Policy – April 2010 Comments / Recommendations

9.2 Land Use Designations and Permitted Buildings Types

9.2.2.10 Prestige Employment	
In areas designated on Schedule 13 as Prestige	
Employment, the following policies shall apply:	
a. Prestige Employment <i>areas</i> shall be characterized by high quality buildings in an attractive pedestrian-friendly and transit-oriented working environment. A variety of lot sizes shall be made available in areas designated as Prestige Employment to provide flexibility for attracting and accommodating a wide range of employment uses.	This section should be amended as follows: "Prestige Employment areas shall be characterized by high quality buildings in an attractive pedestrian-friendly and transit-oriented working environment. A variety of lot sizes shall be made available in areas designated as Prestige Employment to provide flexibility for attracting and accommodating a wide range of employment uses. Areas designated as Prestige Employment will accommodate vehicles and trucks for freight handling including the pickup, delivery and transitory storage of raw materials and goods incidental to motor freight shipment directly related to the Prestige Employment use."
h Proctige Employment grage shall generally be lessted an	
b. Prestige Employment areas shall generally be located on arterial streets forming the edges of Employment Areas, and along 400-series highways, in order to: i. allow the areas to provide a transition between General Employment areas and more sensitive land uses,	This requires further discussion with staff for clarification purposes.
ii. locate greater intensity uses on key transportation routes, and iii. provide locational opportunities for activities	
which require high visual exposure and an	
attractive working environment.	
c. The following uses are permitted in areas designated as	This requires further discussion with staff for clarification
Prestige Employment, in addition to those uses permitted	purposes.
through policy 9.2.1.9:	
i. Industrial uses including manufacturing, warehousing (but	In the case of a property having both Prestige and General
not a retail warehouse), processing, and distribution uses	Employment designations, is transportation and outdoor
located within wholly enclosed buildings and which do not	storage allowed on the General Employment designated
require outside storage. Outside storage is not permitted.	portion of the property?
ii. Office and or retail uses ancillary to and directly associated with any of the uses listed in policy 9.2.2.10.c.i. provided that:	*Note – Ancillary use is not a defined term in the Official Plan.
A. the ancillary use is located in the same building or structure as the primary use; B. the ancillary retail use is limited to no more than	A. This policy indicates that an ancillary use cannot be located in a freestanding structure.
10% of the total gross floor area of the primary use; and,	B. Is it necessary for the Official Plan to be specific with regards to limiting ancillary retail use to 10%? Is it not
C. the ancillary office use is limited to no more than 7,500 square metres or 40% of the total gross floor area of the primary use, whichever is greatest.	more appropriate to have this limitation referenced in the Zoning By-law instead?
	c. Is it appropriate to have 40% of the total GFA of the primary use as ancillary office use within Prestige

<u>TABLE B-1</u> – INITIAL COMMENTS ON BEHALF OF ROYAL GROUP, INC. REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

Draft Vaughan Official Plan Policy – April 2010	Comments / Recommendations
	Employment, as this will require a high parking demand?
iii. Office uses not ancillary to and directly associated with any of the uses listed in policy 9.2.2.10.c.i., up to a maximum gross floor area of 7,500 square metres.	This policy allows up to 7,500 square metres (80,729 square feet) of freestanding office use in a Prestige Employment area.
	How is this affected by lot size?
 iv. Retail uses not ancillary to and directly associated with any of the uses listed in policy 9.2.2.10.c.i., subject to the following conditions: A. the gross floor area of any one retail unit shall not exceed 185 square metres; B. the total gross floor area of all retail uses on any one lot shall not exceed 20% of the total gross floor area of all uses on the lot or 1,000 square metres, whichever is less; and, C. the retail use must be located within 200 metres of the intersection of two arterial streets as indicated on Schedule 9; and, 	This requires further discussion with staff for clarification purposes.
v. Gas stations, subject to the following criteria: A. the use is located on an arterial street as indicated on Schedule 9; B. the use is limited to one gas station per intersection; and, C. no gas stations shall be permitted at the intersection of two arterial streets as indicated on Schedule 9.	This requires further discussion with staff for clarification purposes.
d. The operation of any use must not result in a nuisance or have an adverse effect on neighbouring uses by virtue of the emission or discharge of noise, vibration, particulate, odour or other irritants.	Although it is understood that adverse effects are not desirable on neighbouring uses, General Employment uses, by their nature, create varying degrees of these nuisances and adverse effects as referred to in 'c'. General Employment areas are industrial locations, and as a result this draft policy is too absolute in its meaning because it stipulates "any use must not result in." This policy, as written, is unrealistic in our opinion, and the objective of the policy would be better designed if it required appropriate mitigation of nuisances and adverse effects on neighbouring uses.
e. Separation distance guidelines prepared by the Ministry of Environment, or alternative measures shall be applied to achieve compatibility between uses in the Prestige Employment designation and uses in other land-use designations. f. The following Building Types are permitted in Prestige Employment areas pursuant to policies in Section 9.2.3 of this Plan: i. Employment/Industrial Buildings; ii. Low-Rise Buildings; iii. Mid-Rise Buildings; and,	What is meant by "alternative measures"? We understand that the Ministry of the Environment is presently working on updates to their separation distance guidelines. This requires further discussion with staff for clarification purposes.

iv.

Gas Stations.

<u>TABLE B-1</u> – INITIAL COMMENTS ON BEHALF OF ROYAL GROUP, INC. REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

Draft Vaughan Official Plan Policy – April 2010	Comments / Recommendations
-------------------------------------------------	----------------------------

9.2.3.7 Employment / Industrial Buildings The following policies and development criteria apply to Employment/Industrial Buildings:	Do these policies apply to new buildings or retroactive to existing buildings that may be subject to change?
a. Employment/Industrial Buildings are buildings exclusively located within Employment Areas and are generally <i>low-rise</i> in form.	This requires further discussion with staff for clarification purposes.
b. In order to provide convenient access for pedestrians and transit users, Employment/Industrial Buildings shall generally be oriented to front onto a public street and provide direct and safe pedestrian access, separated from parking lots, to any main building entrance.	This requires further discussion with staff for clarification purposes.
c. Employment/Industrial Buildings that do not front onto a public street are only permitted on lots where the majority of any frontage facing a public street is occupied by an <i>Employment/Industrial Building</i> that does front onto the public street. Such Employment/Industrial Buildings are required to provide direct and safe pedestrian access, separated from parking lots, to any main building entrance.	This requires further discussion with staff for clarification purposes.
d. Surface parking between the front or side of an Employment/Industrial Building and a public street is limited to one aisle of parking spaces and shall occupy no more than 50% of the building frontage.	Does "one aisle" mean double sided parking or single sided parking?
e. All surface parking areas must provide a high level of landscaping treatment and pedestrian pathways. It is encouraged that the grading and landscaping materials for surface parking lots be designed as part of the site's stormwater management system.	This requires further discussion with staff for clarification purposes.
f. The rooftop of Employment/Industrial Buildings shall include landscaped green space, private outdoor amenity space or environmental features such as solar panels.	This requires further discussion with staff for clarification purposes.

<u>TABLE B-2</u> – INITIAL COMMENTS ON BEHALF OF ROYAL GROUP, INC. REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

Draft Vaughan Official Plan Policy – April 2010

Comments / Recommendations

9.2 Land Use Designations and Permitted Buildings Types

9.2.2.7 Commercial Mixed-Use

In areas designated on Schedule 13 as **Commercial Mixed-Use**, the following policies shall apply:

a. Areas designated as **Commercial Mixed-Use** are located along **Primary Intensification Corridors**. They shall be predominantly commercial areas appropriate for non-residential *intensification* and making efficient use of existing and planned transit investments. These areas shall be developed with commercial buildings that allow for a variety of business uses to occur in close proximity to each other in order to assist the City in achieving its overall employment targets and *intensification* objectives. Such areas will be carefully designed with a high standard of architecture and public realm, and well integrated with adjacent areas.

City of Vaughan, May 17, 2010 Staff Report Official Plan Review – City-Wide Policies, File 25.1:

1. Some parcels within the Highway 7 Corridor

The Highway 7 Corridor was the subject of a comprehensive planning study by the City completed in 2004, and resulted in the adoption of five official plan amendments (OPA's 660, 661, 662, 663 and 664) by Council in 2007. OPA 660 is approved in part with deferrals by the Region due to concerns about proposed conversions of employment lands to non-employment uses in two areas: on the east side of Highway 27 at Highway 7, shown as Area 10 on Attachment #4; and both east and west of the Bradford GO rail crossing of Highway 7, shown as Areas 1 and 8 on Attachment #4.

Hemson has assessed the deferral areas against the Growth Plan's criteria, and concludes that, for the most part, residential uses are not appropriate within them, principally due to a high risk of destabilizing neighbouring employment uses by encouraging demand for further residential redevelopment. This conclusion applies to the lands at Highways 27 and 7, and most of the lands at the GO line and Highway 7. The exception are the lands east of the GO line, owing to their proximity to the proposed Concord GO station and the desirability of developing a mixed-use node there in support of transit services. The lands are not now occupied by active industrial uses, and are separated from larger, abutting employment areas.

The draft Official Plan applies to Commercial Mixed-Use designation to the lands at the south-east corner of the Highway 27 and 7 intersection permitting building heights of 8 – 10 storeys and development densities of 2.5 to 3.0 FSI, facilitating their redevelopment for commercial uses. A High-rise Mixed-Use designation has been applied to the lands east of the GO line and north of Highway 7, and a Mid-rise Mixed-Use designation applies south of Highway 7.

With respect to the Royal properties located at 131 and 155 Regalcrest Court, Draft Schedules 1, 13 and 13P describe "Employment Area" per Draft Schedule 1 and "Commercial Mixed-Use" per Draft Schedules 13 and 13P. Our client is in support of the proposed "Commercial Mixed-Use"

<u>TABLE B-2</u> – INITIAL COMMENTS ON BEHALF OF ROYAL GROUP, INC. REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

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	designation per Draft Schedules 13 and 13P as a long-term intent as it relates to 131 and 155 Regalcrest Court. Notwithstanding the foregoing our client seeks confirmation that the existing "Employment Area" – "Employment Area General" (per OPA 450) industrial site and buildings located at 131 and 155 Regalcrest Court are recognized as lawful permitted uses which may be continued in their present form in perpetuity. It is our client's intent to apply for a Zoning By-law Amendment in the near future to permit Outside Storage which provides for the recognition of this use integral to the existing manufacturing, warehousing and distribution functions of the subject lands. To achieve this objective, the lands currently zoned EM1 – PRESTIGE EMPLOYMENT AREA ZONE are proposed to be rezoned EM2 – GENERAL EMPLOYMENT AREA ZONE per Zoning By-law 1-88, as amended accordingly.
b. The following uses are permitted in areas designated as Commercial Mixed-Use, in addition to those uses permitted through policy 9.2.1.9: i. Office uses, up to a maximum of 12,500 square metres; ii. Hotel; iii. Retail uses; and, iv. Gas stations, subject to the following criteria: A. the use is located on an arterial street as indicated on Schedule 9; B. the use is limited to one gas station per intersection; and, C. no gas stations shall be permitted at the intersection of two arterial streets as indicated on Schedule 9.	i. This policy allows up to 12,500 m² (134,548 ft²) of freestanding office use in a Commercial Mixed-Use area. How is this affected by lot size? How does the maximum of 12,500 m² relate with the height and density provisions per Schedule 13 – Land Use?
c. In areas designated as Commercial Mixed-Use , retail uses shall not exceed 50 percent of the total gross floor area of all uses on the lot.	On this basis, retail uses are governed by Density (D), where 2.5 and 3.0 are common densities in a Commercial Mixed-Use designation. Density (D) is governed by lot size. There is a need to consider the implications of large lot situations.
d. Notwithstanding policy 9.2.2.7.b.i, in areas designated as Commercial Mixed-Use and located within 500 metres of an existing or planned subway station, offices uses may exceed 12,500 square metres. e. The following Building Types are permitted in areas designated as Commercial Mixed-Use, pursuant to policies in Section 9.2.3 of this Plan: i. Mid-Rise Buildings; ii. Public and Private Institutional Buildings; and, iii. Gas Stations.	This policy provides no maximum limit on GFA for freestanding office use in a Commercial Mixed-Use area if it is located within 500 metres of an existing or planned subway station. This requires further discussion with staff for clarification purposes.

<u>TABLE B-2</u> – INITIAL COMMENTS ON BEHALF OF ROYAL GROUP, INC. REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

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9.2.3.5. Mid-Rise Buildings The following policies and development criteria apply to Mid-Rise Buildings:	
a. Mid-Rise Buildings are buildings up to a maximum of twelve storeys in height, depending on the height permitted through policy 9.2.1.5 and Schedule 13.	This requires further discussion with staff for clarification purposes.
b. Mid-Rise Buildings over six storeys in height shall be designed with a pedestrian-scaled podium. The podium shall be between three and six storeys in height. Taller building elements shall be set back from the podium by a minimum of three metres along all public street frontages in order to provide an appropriate pedestrian environment and mitigate wind impacts at the street level.	This requires further discussion with staff for clarification purposes.
c. In order to ensure appropriate privacy and daylight/sunlight conditions for any adjacent houseform buildings, Mid-Rise Buildings on a lot that abuts the rear yards of a lot with a Detached House, Semi-Detached House or Townhouse shall be setback a minimum of 7.5 metres from the property line and shall be contained within a 45 degree angular plane measured from the property line abutting those houseform buildings.	This requires further discussion with staff for clarification purposes.
d. Mid-Rise Buildings should be located and oriented in order to ensure sufficient privacy and daylight conditions for the people living and working within them. In order to achieve this a minimum window separation of 15 metres shall be provided between Mid-Rise Buildings.	This requires further discussion with staff for clarification purposes.
e. Surface parking is not permitted between the front or side of a <i>Mid-Rise Building</i> and a public street. Surface parking elsewhere on a lot with a <i>Mid-Rise Building</i> shall be setback from any property line by a minimum of three metres and shall be appropriately screened through landscaping. All surface parking areas must provide a high level of landscaping treatment and pedestrian pathways and it is encouraged that the grading and landscaping materials for surface parking lots be designed as part of the site's stormwater management system.	This requires further discussion with staff for clarification purposes.
f. The rooftop of Mid-Rise Buildings shall include landscaped green space, private outdoor amenity space or environmental features such as solar panels.	This requires further discussion with staff for clarification purposes.

<u>TABLE C</u> – INITIAL COMMENTS ON BEHALF OF ROYAL GROUP, INC. REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

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9.1.2 Urban Design and Built Form

9.1.2.1	
That new development shall respect and reinforce the existing and planned context within which it is situated. More specifically, the built form of new developments shall achieve the following general objectives:	
c. in Employment Areas , new development shall be located and organized, as set out in policy 9.1.2.6, to provide functional buildings, that meet the needs of employees that walk, cycle or take transit, and to limit any impacts on nearby Community Areas ; and,	This policy should also take into account the needs of employees who drive.

9.1.2.6 That in Employment Areas, new development will be designed to:	
 a. allow for a variety of lot sizes and building sizes to accommodate a wide range of employment uses as permitted through Section 9.2 of this Plan; 	This requires further discussion with staff for clarification purposes.
b. provide safe and direct access to buildings for pedestrians, cyclists and transit users;	This requires further discussion with staff for clarification purposes.
c. maximize the placement of buildings along the frontage of lots facing public streets and have regard for appropriate landscaping;	This requires further discussion with staff for clarification purposes.
d. limit surface parking between the front face of a building and the public street or sidewalk;	Needs clarification on how much surface parking is allowed between the front face of a building and the public street or sidewalk.
e. provide safe and direct pedestrian walkways from the public street and parking areas to main building entrances;	This requires further discussion with staff for clarification purposes.
f. ensure any surface parking areas are buffered and screened from all property lines through the use of setbacks and landscaping;	This requires further discussion with staff for clarification purposes.
g. ensure any outdoor storage areas, where permitted, are appropriately buffered and screened through the use of setbacks, landscaping and fencing; and,	This requires further discussion with staff for clarification purposes.
h. provide appropriate parks and open spaces as set out in Section 7.3.	This requires further discussion with staff for clarification purposes.

<u>TABLE D</u> – INITIAL COMMENTS ON BEHALF OF ROYAL GROUP, INC. REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

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9.2.2 Land Use Designations

9.2.2.19 Infrastructure and Utilities In areas designated on Schedule 13 as Infrastructure and	
Utilities, the following policies shall apply:	
a. The Infrastructure and Utilities designation applies to	This requires further discussion with staff for clarification
lands which are used at grade for the provision of	purposes.
infrastructure, such as utility corridors and stormwater	purposes.
management ponds.	
b. The following uses are permitted in areas designated as	This requires further discussion with staff for clarification
Infrastructure and Utilities:	purposes.
i. all uses and structures associated with the provision of a	par posses
utility or municipal service;	
ii. at the discretion of the landowner, and where safety	
concerns are addressed if necessary, such lands may be	
used for passive or active recreation, trails, allotment	
gardening and urban agriculture;	
c. Notwithstanding policy 9.2.1.19.b, the following applies	This requires further discussion with staff for clarification
to the high pressure natural gas pipelines operated by	purposes.
TransCanada PipeLines Limited and identified on Schedule	
12:	
i. No permanent building or structure may be	
located within 7 metres of the pipeline right-of-	
way. A reduction in the 7 metre setback shall only	
be considered if agreed to by TransCanada	
PipeLine Limited and if all necessary municipal	
approvals are obtained.	
ii. Accessory structures shall have a minimum	
setback of 3 metres from the limit of the pipeline	
right-of-way.	
iii. Where development is proposed within 750	
metres of a TransCanada compressor station,	
regard shall be given to noise levels. A noise and	
vibration study to be carried out by the proponent,	
to the satisfaction of the City, may be required. The study shall determine if applicable provincial	
guidelines can be achieved, and if necessary	
recommend appropriate mitigation measures.	
iv. The City shall encourage the development of the	
TransCanada right-of-way for passive recreation	
purposes subject to TransCanada's easement	
rights.	
d. Given the specialized nature of Infrastructure and	This requires further discussion with staff for clarification
Utilities, building types are not prescribed.	purposes.

<u>TABLE E</u> – INITIAL COMMENTS ON BEHALF OF ROYAL GROUP, INC. REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

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4.4 Rail and Goods Movement

4.4.2 Supporting Goods Movement	
Vaughan's large industrial and manufacturing base results in high levels of goods movement throughout the City and	
especially in <i>Employment Areas</i> . The movement of goods is	
an important contributor to Vaughan's economic wellbeing,	
and must be supported. While long distance goods	
movement by rail is generally more efficient than by truck,	
it is not always feasible. Vaughan has significant resources	
for goods movement, including the rail corridors and yards,	
the extensive Provincial highway network, numerous truck	
terminals and courier hubs; and proximity to Pearson	
International Airport.	·
These resources provide the structure for integration of	
goods movement systems to ensure efficient and effective	
intermodal networks.	
Despite the significant economic benefits of goods	
movement, there are also adverse impacts, including	
emissions, noise and truck traffic. This may create	
additional conflicts as Vaughan grows and intensifies. These	
impacts are especially of concern in the Vaughan	
Metropolitan Centre, where Vaughan's largest	
Intensification Area (a provincially designated Urban	
Growth Centre) is surrounded by Employment Areas. The	
impact of this can be mitigated by providing direct access	
from Employment Areas to Provincial highways and limiting	
heavy truck traffic-generating uses near <i>Intensification</i>	
Areas.	
It is the policy of Council:	
4.4.2.1. To support an integrated and efficient	This requires further discussion with staff for clarification
transportation network for goods movement, including rail,	purposes.
truck and air travel.	
4.4.2.2. To work with York Region, Metrolinx, the Province	This requires further discussion with staff for clarification
and other agencies to plan for a comprehensive and	purposes.
integrated goods movement system.	
4.4.2.3. To support convenient access to rail and highway	This requires further discussion with staff for clarification
networks from Employment Areas and fast and convenient	purposes.
interchanges for transferring goods between truck and rail.	
4.4.2.4. To encourage employment uses that generate	This requires further discussion with staff for clarification
heavy truck traffic to locate in areas near and adjacent to	purposes.
access to Provincial highways.	
4.4.2.5. To work with York Region and the Province to	This requires further discussion with staff for clarification
develop and implement a comprehensive network of truck	purposes.
routes to:	

$\underline{\mathsf{TABLE}} = \mathsf{INITIAL}$ COMMENTS ON BEHALF OF ROYAL GROUP, INC. REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

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 a. support efficient truck movement; b. minimize heavy trucks travelling through	
4.4.2.6. To minimize truck activity outside of Employment Areas and to reduce adverse impacts from truck traffic on Community Areas and Intensification Areas.	This requires further discussion with staff for clarification purposes.
4.4.2.7. To ensure that Employment Areas have sufficient truck access in order to support operations.	This requires further discussion with staff for clarification purposes.
4.4.2.8. To work with York Region and the Province to develop and implement a goods movement master plan for the Vaughan Metropolitan Centre and surrounding Employment Areas to mitigate the adverse impacts of truck traffic.	This requires further discussion with staff for clarification purposes.

<u>TABLE F</u> – INITIAL COMMENTS ON BEHALF OF ROYAL GROUP, INC. REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

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4.3 Managing Movement

4.3.2 Parking Vehicle parking is an important part of transportation systems, but must be managed properly to minimize adverse impacts. Generally, surface parking underutilizes urban space, creates gaps in the urban fabric and encourages driving over other modes. Parking will continue to be provided in Vaughan, but in a style and amount that contributes positively to placemaking and does not threaten the quality and attractiveness of other means of transportation. Increased permissions for on-street parking will support retail and economic development, contribute to a high quality streetscape and calm traffic. Lower parking requirements and shared parking facilities will reduce parking lot sizes and create a higher quality and compact urban environment. Generally, parking will reflect Vaughan's status as a major, growing, transit-supportive and pedestrian-friendly city, and will be responsive to all types of movement. It is the policy of Council: 4.3.2.1. To consider establishing a municipal parking This requires further discussion with staff for clarification authority to: purposes. a. review and manage on-street parking policies; b. provide and manage an appropriate parking supply; c. develop a pay-for-parking system for on-street parking in high parking demand locations throughout the City, including Intensification Areas: d. provide shared, central parking facilities in highdemand locations; and, e. support alternative modes of travel. 4.3.2.2. To reduce parking requirements where feasible by: This requires further discussion with staff for clarification a. establishing minimum and maximum parking purposes. standards in zoning by-laws for all types of development; b. establishing context-sensitive parking requirements that respond to diverse settings, including Intensification Areas, historic places and other settings; c. reducing parking requirements in *Intensification* Areas where transit, walking and cycling alternatives exist; supporting parking for carpool, carshare, and zero

<u>TABLE F</u> – INITIAL COMMENTS ON BEHALF OF ROYAL GROUP, INC. REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

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emission vehicles through preferential designated parking spots and/or reduced parking fees, where charged by a municipal parking authority, as appropriate;	
e. considering the variability of peak parking periods throughout the day for different types of uses for the purposes of sharing parking between such uses when developing parking standards in mixed-use areas;	
f. working with the school boards to reduce or preferably eliminate the provision of student parking;	·
 g. considering the availability of on-street parking on collector and local streets when determining parking requirements; and, 	
 regularly reviewing and evaluating city-wide parking standards to ensure that parking needs are met while minimizing the provision of excess parking. 	
4.3.2.3. To consider developing guidelines for cash-in-lieu of parking in <i>Intensification Areas</i> where it can be demonstrated that parking reductions will not have adverse spill-over impacts on surrounding areas, and where the provision of on-street or municipally-provided parking can meet additional parking needs. Revenue generated from cash-in-lieu of parking would be used to support facilities for parking, transit, bicycling and walking.	This requires further discussion with staff for clarification purposes.
4.3.2.4. To encourage and support the development of central, shared parking facilities in the <i>Intensification Areas</i> , which may result in greater parking and land use efficiencies. Such facilities are encouraged to be provided below grade.	This requires further discussion with staff for clarification purposes.
4.3.2.5. To work with York Region and the City of Toronto to permit on-street parking on arterial streets where appropriate and where it may support retail and economic development, contribute to a high quality streetscape and a more active street life. The provision of on-street parking in other areas of the City, as needed and/or appropriate, may also be considered.	This requires further discussion with staff for clarification purposes.
4.3.2.6. To ensure accessible parking supply and design requirements are coordinated with provincial standards developed under the Accessibility for Ontarians with Disabilities Act, as amended, and to monitor the utilization of accessible parking to ensure its adequacy relative to demand, recognizing the aging population.	This requires further discussion with staff for clarification purposes.
4.3.2.7. To require that parking lots and structures be developed as high-quality examples of good urban design and sustainability, with particular emphasis placed on permeability and safety for pedestrians and cyclists, landscaping and vegetation, stormwater management, high	This requires further discussion with staff for clarification purposes.

<u>TABLE F</u> – INITIAL COMMENTS ON BEHALF OF ROYAL GROUP, INC. REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

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quality lighting, signage and materials and a range of parking space types, including parking for smaller fuel efficient vehicles and bicycles.	
4.3.2.8. Where parking structures face arterial and collector streets the ground floor frontage shall predominantly consist of retail uses or other active uses that animate the street.	This requires further discussion with staff for clarification purposes.
4.3.2.9. That municipal design guidelines for parking lots and structures shall be established to guide the development of parking facilities.	This requires further discussion with staff for clarification purposes.

<u>TABLE G</u> – INITIAL COMMENTS ON BEHALF OF ROYAL GROUP, INC. REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

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9.1 Elements of a Great City

9.1.3 Sustainable Development It is the policy of Council:	The following sentence is unclear: "Following on the recommendations contained in Green Directions – Vaughan's Sustainability Master Plan – A Sustainable Development Report will be submitted as part of applications for new developments to gauge how well we are doing as addressing these issues."
9.1.3.1. To develop Green Development Standards, in consultation with the building and construction industry, that will be applicable to all public and private sector developments.	This requires further discussion with staff for clarification purposes. Does this apply to existing development or just new development? What constitutes new development?
 9.1.3.2. That the following initiatives will be explored as part of the establishment of Green Development Standards and, where appropriate, specific standards will be established to: a. provide a high-level of efficiency in energy consumption; b. maximize solar gains and be constructed in a manner that facilitates future solar energy installations; c. include or facilitate future on-site renewable energy systems; d. provide a high-level of efficiency in water consumption, including rainwater harvesting and recirculation for irrigation purposes; e. enhance indoor air quality; f. contain or facilitate the future installation of plugins for electric vehicles; g. use environmentally preferable building materials, high-renewable and recycled content building products, and certified sustainably harvested lumber; h. provide water efficient and drought resistant landscaping, which should include the use of native plants and xeriscaping; i. maximize permeable surfaces, including the provision of permeable driveways; j. incorporate green roofs into building design; and, k. reduce construction waste and divert construction 	This requires further discussion with staff for clarification purposes. How will these standards be implemented?
waste from landfill. 9.1.3.3. That until such time as Green Development Standards are adopted by Council, all applications for an Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision, and/or Site Plan Approval shall submit a Sustainable Development Report, indicating how the various elements contained in policy 9.1.3.2 are being	This requires further discussion with staff for clarification purposes.

<u>TABLE G</u> – INITIAL COMMENTS ON BEHALF OF ROYAL GROUP, INC. REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

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applied, and describing any other sustainable initiatives	
being implemented within the development.	

<u>TABLE H</u> – INITIAL COMMENTS ON BEHALF OF ROYAL GROUP, INC. REGARDING DRAFT APRIL 2010 CITY OF VAUGHAN OFFICIAL PLAN (VOLUME 1)

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10.1 Implementing the Plan

10.1.1.11 Block Plans That phasing policies are intended to provide for the coordination of development within any particular Block Plan area to ensure the development of functional and cohesive neighbourhoods throughout the community's growth and development. The approval of specific development applications shall be controlled by the City in order to ensure:	This requires further discussion with staff for clarification purposes. For instance, if a Block Plan is applied to an Employment Area, 'j' will not be possible. As such, Policy 10.1.1.11 should indicate that the requirements for the approval of specific development applications may require selective policies from 'a' through 'l'.
a. orderly and contiguous development; b. efficient proximity and availability of water and sewer servicing to the proposed development;	
c. availability of water supply capacity; d. availability of sanitary sewer capacity; e. adequacy of storm drainage and storm water management systems;	
f. minimization of public costs; g. the adequacy of community facilities for the planned	Is this intended to apply to Employment Areas?
number of residents of the development; h. the capacity of other public bodies and levels of	Is this intended to apply to Employment Areas?
government to provide schools and other social services for the planned number of residents of the development;	a supply to ampleyment meas.
i. the financial capability of the City to provide necessary functions and services;	
 j. the capacity of the external transportation systems and proposed improvements; 	Is this intended to apply to Employment Areas?
k. the integration of the proposed development with the planned public transit system;	
j. the establishment of a fine grain of streets including connectivity between blocks; and,	
I. the application of sustainable development solutions.	

10.1.2 Implementation Tools	
Achieving the objectives of this Plan and setting out the	This requires further discussion with staff for clarification
transformative agenda within it requires an ongoing	purposes.
commitment to implementing the policies of the Plan.	
Implementation is achieved in a variety of ways. Traditional	Typo – " used [to] ensure"
planning tools, including Zoning By-laws, Site Plan Control,	
Subdivision Control, Consents and Minor Variances will all	
be used ensure that the policies of this Plan are realized.	
Tools such as Bonusing, Holding By-laws, Temporary-use	
by-laws and Community Improvement Plans are also given	
effect in this section so that they can be applied from time	
to time, as appropriate.	

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10.1.2.18 Site Plan Control

That the whole of the City of Vaughan is considered a Site Plan Control Area in accordance with Section 41 of the Planning Act. For the purposes policies related to Site Plan Control, "development" means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a commercial parking lot or of sites for the location of three or more trailers, or of sites for the location of three or more mobile homes or of sites for the construction, erection or location of three or more land lease community homes. "Development" does not include the placement of a portable classroom on a school site of a District School Board, if the school site was in existence on January 1, 2007.

This requires further discussion with staff for clarification purposes.

Typo – "... for the purposes [of] policies related to ..."

Is the definition of "development" in this section applied throughout this Official Plan document?

10.1.2.19. That prior to development being undertaken in the Site Plan Control Area, Council shall approve one or both of the following:

This requires further discussion with staff for clarification purposes.

a. plans showing the location of all buildings and structures to be erected and showing the location of all facilities and works to be provided in conjunction therewith and of all facilities and works required under clause 41(7)(a) of the Planning Act, including facilities designed to have regard for accessibility for persons with disabilities; or

What does "one or both of the following" mean?
This requires further discussion with staff for clarification purposes.

b. drawings showing plan, elevation and cross-section views for each building to be erected, except a building to be used for residential purposes containing less than twenty-five dwelling units, which drawings are sufficient to display:

- dwelling units, which drawings are sufficient to display:
 i. the massing and conceptual design of the proposed building;
 - ii. the relationship of the proposed building to adjacent buildings, streets, and exterior areas to which members of the public have access;
 - the provision of interior walkways, stairs, elevators and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings;
 - iv. matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design, but only to the extent that it is a matter of exterior design;
 - the sustainable design elements on any adjoining public street including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb

This requires further discussion with staff for clarification purposes.

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vi.	ramps, waste and recycling containers and bicycle parking facilities; and facilities designed to have regard for accessibility for persons with disabilities.		

10.1.2.32 Consents (Severances)	This requires further discussion with staff for clarification
That consents to sever land may be considered, pursuant to Section 53 of the Planning Act, provided that a Plan of Subdivision is not deemed necessary in accordance with policy 10.1.2.27.	purposes.
10.1.2.40. That consents to sever in the <i>urban area</i> , including the lands designated as Oak Ridges Moraine Settlement Area on Schedule 4, will be considered for the purposes of infilling in an existing <i>urban area</i> , but shall not extend the existing <i>urban area</i> . Such consent in the <i>urban area</i> will be subject to the following:	This requires further discussion with staff for clarification purposes.
a. Infilling which economizes the use of urban space without disturbing the existing pattern of development or perpetuating an undesirable pattern of development or prejudicing the layout of future development shall be considered acceptable.	This requires further discussion with staff for clarification purposes.
b. Where a parcel of land is located within an existing settlement or designated by the Official Plan for development, and the size of the parcel is large and it is apparent that an application for a severance could be a forerunner of other similar applications on the original parcel, such individual severances from that parcel shall not be permitted but may be considered through an application for a Plan of Subdivision.	This requires further discussion with staff for clarification purposes.
c. Where existing developed lots have the potential for redevelopment on a more comprehensive scale, proposed severances which might block potential points of access or further fragment ownership of these lands, shall not be approved unless such severance is determined to be appropriate following a Council-approved comprehensive study of the area such as through a Secondary Plan or Block Plan process.	This requires further discussion with staff for clarification purposes.
10.1.2.41. That consents to sever land identified on Schedule 1 as Natural Areas and Countryside may be permitted subject to compliance with the following policies and all other applicable policies of this Plan, including polices relating to the Oak Ridges Moraine Conservation Plan Area and Greenbelt Plan Area as identified on Schedule 4:	This requires further discussion with staff for clarification purposes.
a. The consent requested is for a minor boundary adjustment, right-of-way or easement which does not create a separate lot for a non-farm residence.	This requires further discussion with staff for clarification purposes.
b. Consents which serve to enlarge or consolidate	This requires further discussion with staff for clarification

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agricultural holdings shall be given favourable consideration. Consents which do not hinder or jeopardize the viability, capability or flexibility of agricultural operations shall be given favourable consideration,	purposes.
provided that both the severed and retained parcels are of sufficient size to be viable and flexible enough for agricultural uses.	
c. Severances may be permitted to create a lot for surplus farm dwellings or for a farmer or a farmer's widow or widower who is retiring from an active working life, provided that the farmer has owned the land for a substantial number of years. Such a lot shall satisfy the following requirements: i. the lot created is located on unused portions of the farm or is situated so as to remove the least amount of agricultural land from production or is situated so as to create the least amount of disruption to existing farming operations;	This requires further discussion with staff for clarification purposes.
 ii. the lot created is a minimum of 0.6 hectares in area and shall not be more than 0.8 hectares in area; and, iii. a total of one severance is permitted for any given lot including all consents granted on or after January 1, 1994. d. Severances may be permitted for the purposes of allowing land acquisition for transportation, infrastructure, 	This requires further discussion with staff for clarification purposes.
and utilities, but only if the need for the project has been demonstrated and there is no reasonable alternative.	
e. Severances for the purpose of providing a separate residential lot for members of a farm family who are working on the farm, or for farm workers are not permitted.	This requires further discussion with staff for clarification purposes.
f. Severances may be permitted to facilitate conveyances to public bodies or nonprofit entities for natural heritage conservation.	This requires further discussion with staff for clarification purposes.
10.1.2.44. That in addition to matters under the Planning Act, the Committee of Adjustment, in determining whether a consent is to be given, shall have regard for the following matters in consultation with the appropriate departments and agencies:	This requires further discussion with staff for clarification purposes.
a. Compatibility of the proposed size, shape and use of the lot with: i. the local pattern of lots, streets and blocks; ii. the size and configuration of existing lots; iii. the building type of nearby properties; iv. the heights and scale of nearby properties; v. the setback of buildings from the street; vi. the pattern of rear and side-yard setbacks; and, vii. conservation and enhancement of heritage buildings, heritage districts and cultural heritage	This requires further discussion with staff for clarification purposes.

Draft Vaughan Official Plan Policy – April 2010		Comments / Recommendations
	landscapes.	
b. Acce	ss:	This requires further discussion with staff for clarification
i.	Consent to sever a lot shall be permitted only	purposes.
	when both the lot severed and the remaining	
	parcel front on an existing assumed public highway	
	or street, or upon a dedicated public road	
	allowance upon which the applicant is constructing	
	a road pursuant to an Agreement with the City.	
	Valley lands acquired for conservation purposes by	
	the Toronto and Region Conservation Authority	
	are exempt from these access requirements.	
ii.	If the proposed lot or remaining parcel has	
	frontage on a Provincial Highway, any consent	
	shall be subject to the requirements of the	
İ	Ministry of Transportation. If the proposed lot or	
	remaining parcel has frontage on a Regional or City	
	road, any consent shall be subject to the	
	requirements of appropriate Regional or City	
	authorities. Consent shall be conditional on the dedication of required road widenings, free of all	
	costs and encumbrances, approval of access	
	driveway locations or other requirements, to the	
	satisfaction of the appropriate authorities;	
iii.	Creation of lots fronting on designated arterial	
''''	streets shall be discouraged, as granting of an	
	entrance permit to serve a new lot provides	
	another point of conflict with the smooth flow of	
	traffic for which the road is designed, particularly	
	in areas where strip development already poses	
	traffic problems;	
iv.	A daylighting triangle at intersections may be	·
	required to be dedicated in order to improve	
	visibility for traffic movement to the satisfaction of	
	the City and York Region; and	
v.	A reserve may be required to be deeded to the	
	Region of York or the City if requested by the	
	Regional or City Engineer, as a means of	
	controlling access.	***
c. Servi	=	This requires further discussion with staff for clarification
į.	All proposed lots shall be serviced by either a	purposes.
	public water supply or other adequate supply of	
	potable water, and either a connection to a public	
	sanitary sewer system or provision for other	
	sanitary waste treatment facility on the site	
	appropriate to the proposed use, approved by the	
	City. Where a proposed lot is located in an area	
	serviced by a municipal water system and/or	
	sanitary sewer, the Committee of Adjustment shall	
	obtain confirmation from the appropriate City	
	and/or Regional authority that servicing capacity	

Draft Vaughan Official Plan Policy – April 2010		Comments / Recommendations
	can be allocated to the proposed lot without straining the capacity of the present system or jeopardizing anticipated development by Plan of Subdivision.	
ii.	Where a consent has been applied for to create a lot which is dependent upon an individual water supply, approval shall be conditional upon the City and or Region, as appropriate, being satisfied that an adequate potable water supply can be made available, and that the location of the well in relation to the septic tank is acceptable. The City and or Region, as appropriate, may require a hydrology report from a qualified professional engineer in regard to the adequacy of the potable water supply without adversely affecting either the quantity or quality of adjacent potable water supplies.	
d. Cons	servation:	This requires further discussion with staff for clarification
i.	The Toronto and Region Conservation Authority shall be consulted in respect of applications for consent which are subject to flooding, wind or water erosion, or characterized by steep slopes, groundwater recharge, valuable wildlife or fish habitat, mature tree stands and areas of high aggregate potential.	purposes.
e. Financial Implications:		This requires further discussion with staff for clarification
i.	Creation of lots shall not be permitted where capital expenditures by a public authority would be required for the extension of any major service or facility.	purposes.

APPENDIX 'A' – SCHEDULE OVERLAYS/MAPPING ANALYSIS Comments regarding Draft April 2010 City of Vaughan Official Plan on behalf of Royal Group, Inc. regarding their lands and lands in which 'Royal' has an interest.

1) Draft Schedule 1 Urban Structure and Draft Schedules 13 & 13P Land Use

With respect to the Royal properties located at 131 and 155 Regalcrest Court, Draft Schedules 1, 13 and 13P describe "Employment Area" per Draft Schedule 1 and "Commercial Mixed-Use" per Draft Schedules 13 and 13P. Our client is in support of the proposed "Commercial Mixed-Use" designation per Draft Schedules 13 and 13P as a long-term intent as it relates to 131 and 155 Regalcrest Court. Notwithstanding the foregoing our client seeks confirmation that the existing "Employment Area" – "Employment Area General" (per OPA 450) industrial site and buildings located at 131 and 155 Regalcrest Court are recognized as lawful permitted uses which may be continued in their present form in perpetuity. It is our client's intent to apply for a Zoning By-law Amendment in the near future to permit Outside Storage which provides for the recognition of this use, integral to the existing manufacturing, warehousing and distribution functions of the subject lands. To achieve this objective, the lands currently zoned EM1 – PRESTIGE EMPLOYMENT AREA ZONE are proposed to be rezoned EM2 – GENERAL EMPLOYMENT AREA ZONE per Zoning By-law 1-88, as amended accordingly.

Furthermore, the lands east of 131 and 155 Regalcrest Court require clarification as they are designated "Natural Areas and Country Side" in Draft Schedule 1, whereas in Draft Schedule 13 they are designated as "Infrastructure and Utilities". (Refer to Composite Maps 'A' & 'E')

2) Draft Schedule 2 Natural Heritage Network, Draft Schedule 1 Urban Structure

The boundary of the "Core Features" designation per Draft Schedule 2 requires clarification and refinement as it extends into the southwest quadrant of 91 Royal Group Crescent. (Refer to Composite Map 'B')

3) Draft Schedule 1 Urban Structure & the Toronto and Region Conservation Authority (TRCA) Regulatory Mapping

The boundary of "Natural Areas and Countryside" designation per Draft Schedule 1 requires clarification and refinement as it extends into the southwest quadrant of 91 Royal Group Crescent. The Regulation Limit of the (TRCA) mapping clarifies the context. The "Natural Areas and Countryside" designation should be revised to more accurately reflect existing land use. (Refer to Composite Map 'C')

APPENDIX 'A' – SCHEDULE OVERLAYS/MAPPING ANALYSIS Comments regarding Draft April 2010 City of Vaughan Official Plan on behalf of Royal Group, Inc. regarding their lands and lands in which 'Royal' has an interest.

4) Draft Schedule 9 Future Transportation Network Overlay

The local road system should also include Roybridge Gate which provides improved access to the 'Vaughan Industrial Park' and relieves congestion for Highways 7 and 27.

Highway 27 is recognized as a "Major Arterial (Regional)" per Draft Schedule 9 Future Transportation Network. There appears to be inconsistency between the actual and proposed right-of-way width. For example, the physical right-of-way of Highway 27 is approximately 80m. However, under the Regional Official Plan, "Regional Plan Basic Street Widths," Highway 27 is described as having a right-of-way of "up to 43m." Clarification is required. (Refer to Composite Map 'D')

Local Road alignments could be better reflected on mapping in this area.

5) Draft Schedule 1 Urban Structure, Draft Schedules 13 & 13P Land Use and Parkway Belt West Lands

The eastern boundary of Highway 427 is more in line with the western edge of private industrial lands when compared to Schedule 1.

Draft Schedules 13 & 13P have reference to "Parkway Belt West Lands" and "Infrastructure and Utilities". In real terms 'Infrastructure and Utilities" comprise the "Parkway Belt West Lands". The structure of the legend and the two designations are misleading because these designations appear mutually exclusive.

The western edge of Highway 27, south of Highway 7 is designated as "Parkway Belt West Lands" which is incorrect.

In Draft Schedule 1 lands are designated "Natural Areas and Countryside". This is further refined in Draft Schedules 13 and 13P and subdivided into other designations including "Natural Areas". This is confusing and possibly could be clarified by including "Parks" and "Private Open Spaces" after "Natural Areas" in the Schedule 1 Legend or, as a footnote. (Refer to Composite Map 'E')

APPENDIX 'A' – SCHEDULE OVERLAYS/MAPPING ANALYSIS Comments regarding Draft April 2010 City of Vaughan Official Plan on behalf of Royal Group, Inc. regarding their lands and lands in which 'Royal' has an interest.

6) Draft Schedule 10 Transit Network Overlay

The designations for "Regional Rapid Transit Corridor" (Orange) and the "Regional Rapid Transit Priority Network" (Green) need clarification.

Highway bus service appears to be an existing service along Highway 407. Does the schedule clearly indicate the difference between existing or proposed transit services? (Refer to Composite Map 'F')

7) Draft Schedules 13 & 13P Land Use and OPA 660 Schedule B

Vaughan OPA 660 Schedule B designates 131 and 155 Regalcrest Court as "Employment Area General" where as Draft Schedule 13 and 13P designates these lands as "Commercial Mixed-Use". There is a need to ensure that the current Industrial use is acknowledged as a permitted use in perpetuity under the Official Plan and that the existing built form satisfies the requirements of the Official Plan as well. (Refer to Composite Map 'G')

8) Draft Schedule 1 Urban Structure, Draft Schedules 13 & 13P Land Use and OPA 660 Appendix 1, Figure 1

Vaughan OPA 660 Appendix 1, Figure 1 refers to an "approximate 200m limit of Avenue 7 Corridor" north and south of the Highway 7 right-of-way.

Draft Schedule 1 designates approximately 100 metres of this limit as "Primary Intensification Corridor", with the remainder as "Employment Area". 131 and 155 Regal crest Court are both within the "Employment Area".

Draft Schedules 13 & 13P designate 131 and 155 Regalcrest Court as a "Commercial Mixed-Use" designation. See above. (Refer to Composite Map 'H')

9) May 17, 2010 Committee of the Whole (Public Hearing) Attachment 4: Proposed Employment Land Conversion Map

Reference is made to the Staff Report under the heading of 1. Some Parcels within the Highway 7 Corridor, "OPA 660 is approved in part with deferrals by the Region due to concerns about proposed conversions of employment lands to non-employment uses in two areas"..."the east side of Highway 27 at Highway 7"..."residential uses are not

APPENDIX 'A' – SCHEDULE OVERLAYS/MAPPING ANALYSIS Comments regarding Draft April 2010 City of Vaughan Official Plan on behalf of Royal Group, Inc. regarding their lands and lands in which 'Royal' has an interest.

appropriate within them, principally due to a high risk of destabilizing neighbouring employment uses by encouraging demand for further residential redevelopment."..."The draft Official Plan applies a Commercial Mixed-Use designation to the lands at the south-east corner of the Highway 27 and 7 intersection permitting building heights of 8-10 storeys and development densities of 2.5 to 3.0 FSI, facilitating their redevelopment for commercial uses"..."a Mid-rise Mixed-Use designation applies south of Highway 7".

Attachment 4 of this report, "Proposed Employment Land Conversion Map" designates 155 Regalcrest Court as lands "Not recommended for conversion from Employment uses". (Refer to Composite Map 'I')

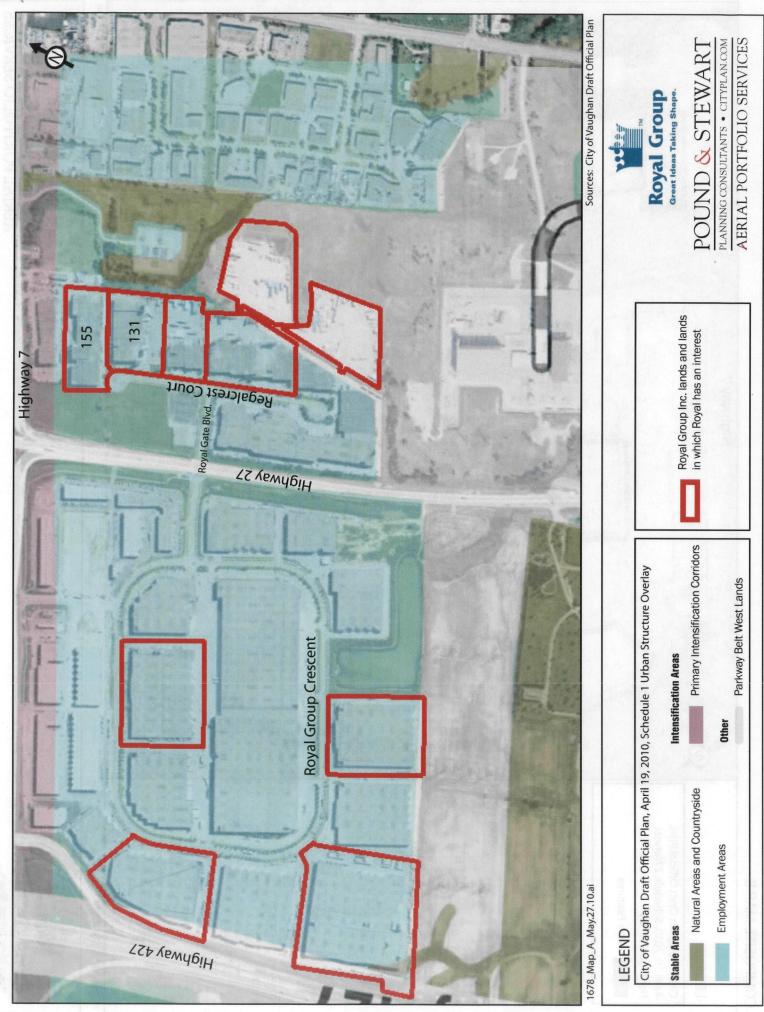
10) Draft Schedules 13 & 13P Land Use and OPA 660 Employment Area (West) Structural Plan Schedule B

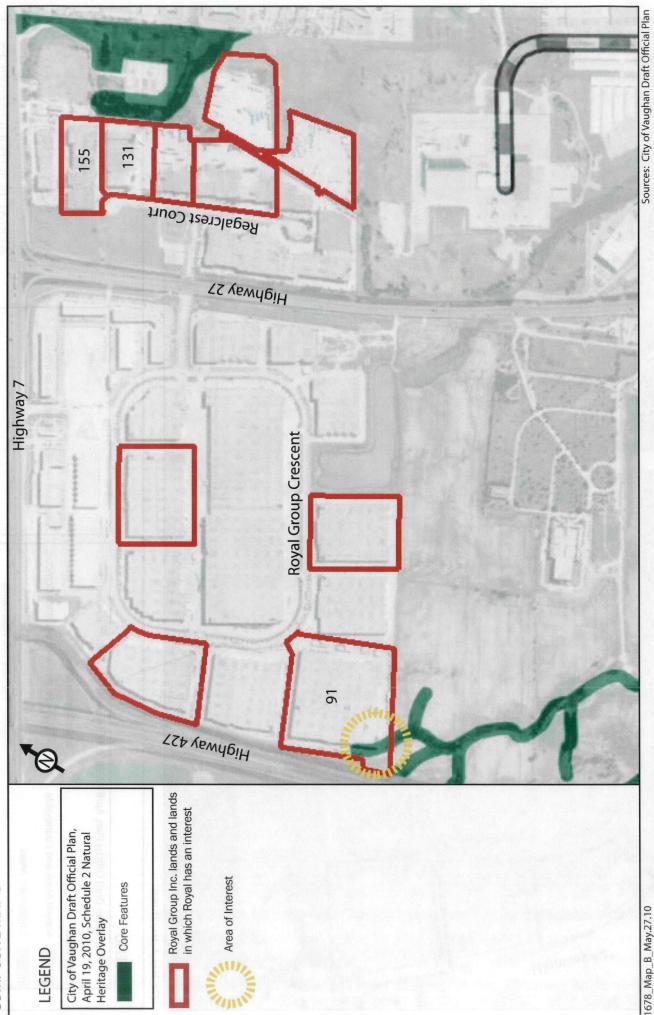
Map J is in regards to the 'West Deferral Area' per OPA 660 regarding concerns about proposed conversions of employment lands to non-employment uses. 155 Regalcrest Court is located in an area "Not recommended for conversion from Employment uses". (See Composite Map 'J' and Table B-2)

11) Draft Schedule 11 Wellhead Protection Overlays

In developed urban areas, where a watercourse has been integrated into an approved municipal stormwater system, the watercourse should be revised to reflect the pattern of the system. The watercourse system per Schedule 11 appears to run through 131 and 155 Regalcrest Court, among other facilities. (Refer to Composite Map 'K')

1712 VaughanOP Comments.Jun.07.10.docx





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Areas of Interest

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COMPOSITE MAP E

LEGEND

April 19, 2010, Schedule 13 Land Use City of Vaughan Draft Official Plan, Overlay

131

Regalcrest Court

Highway 27

Highway 7

Natural Areas

754 YEWAQIH

Commercial Mixed-Use Prestige Employment General Employment Private Open Spaces

Infrastructure and Utilities Parkway Belt West Lands

Parkway Belt West Plan, June 2008, Map 4-8 Overlay

Grove Hoad

ARMUM IN

Royal Group Crescent

Electric Power Facility

Royal Group Inc. lands and lands in which Royal has an interest

Areas of Interest



Sources: City of Vaughan Draft Official Plan & Parkway Belt West Plan 1978 Consolidated to June 2008



Royal Group Great Ideas Taking Shape

1678_Map_E_May.27.10

Sources: City of Vaughan Draft Official Plan

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Royal Group
Great Ideas Taking Shape.

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COMPOSITE MAP G

EGEND

April 19, 2010, Schedule 13 Land Use City of Vaughan Draft Official Plan, Overlay

155

Highway 7

31

Royal Group Crescent

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Hahway21

Royal Group Crescent

Infrastructure and Utilities Private Open Spaces Natural Areas

Parkway Belt West Lands Commercial Mixed-Use Prestige Employment General Employment

City of Vaughan, OPA 660 - Employment Area (West) Structural Plan, Schedule 'B', June 25, 2007 Overlay

754 YEMAPIH

Prestige Area

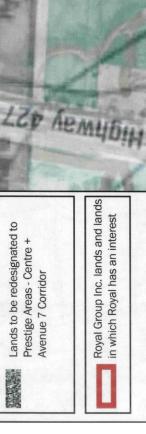
Employment Area General

Stream Corridors

7/427 Centre

Fransit Stop Centre

Lands to be redesignated to Prestige Areas - Centre + Avenue 7 Corridor



Sources: City of Vaughan Draft Official Plan & City of Vaughan, OPA 660 - Employment Area (West) Structural Plan

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1678_Map_G_May.27.10

Royal Group **Great Ideas Taking Shape**



April 19, 2010, Schedule 13 Land Use City of Vaughan Draft Official Plan,

Commercial Mixed-Use General Employment Private Open Spaces Natural Areas

Infrastructure and Utilities Parkway Belt West Lands Prestige Employment

City of Vaughan, OPA 660 - Figure 1 Overlay Approximate 200m limit of Avenue Seven Corridor

7/427 Centre

Transit Stop Centre

lands in which Royal has an Royal Group Inc. lands and interest

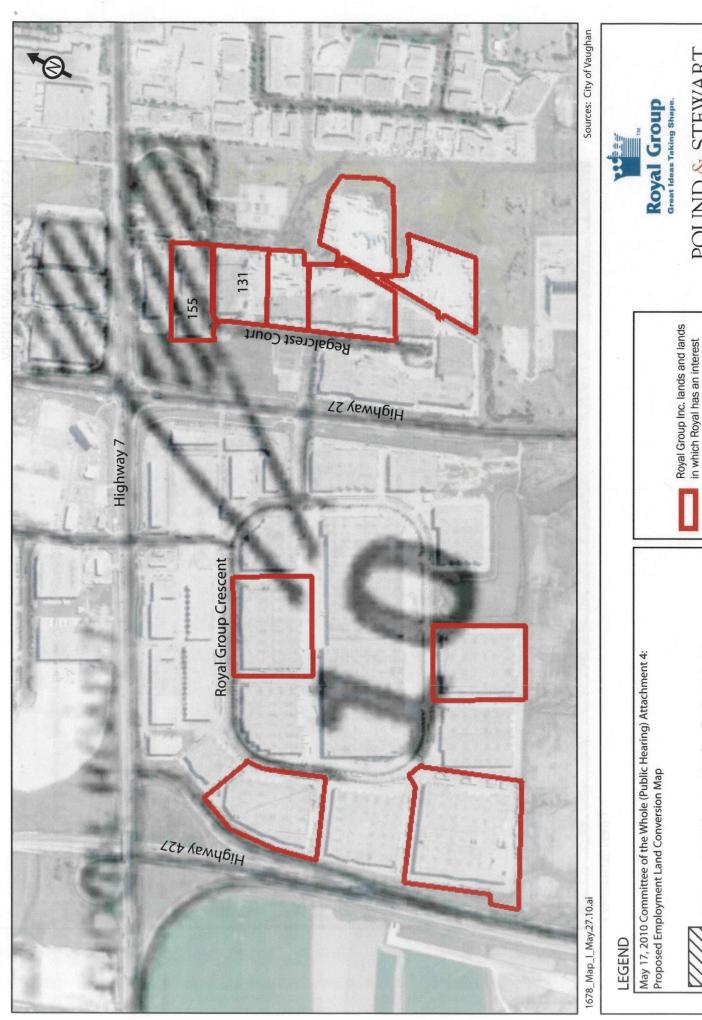
1678_Map_H_May.27.10

Royal Group Great Ideas Taking Shape.



Sources: City of Vaughan Draft Official Plan & City of Vaughan, OPA 660

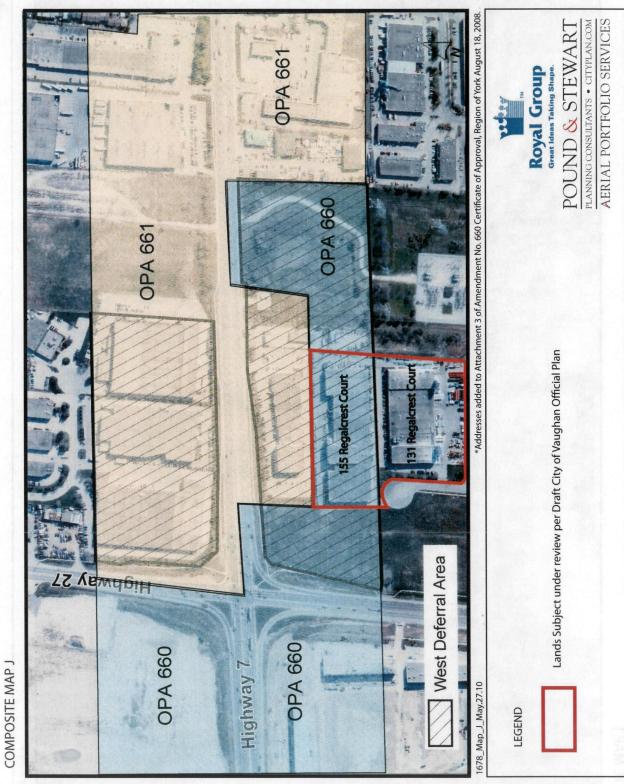
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Not recommended for conversion from Employment uses



COMPOSITE MAP K

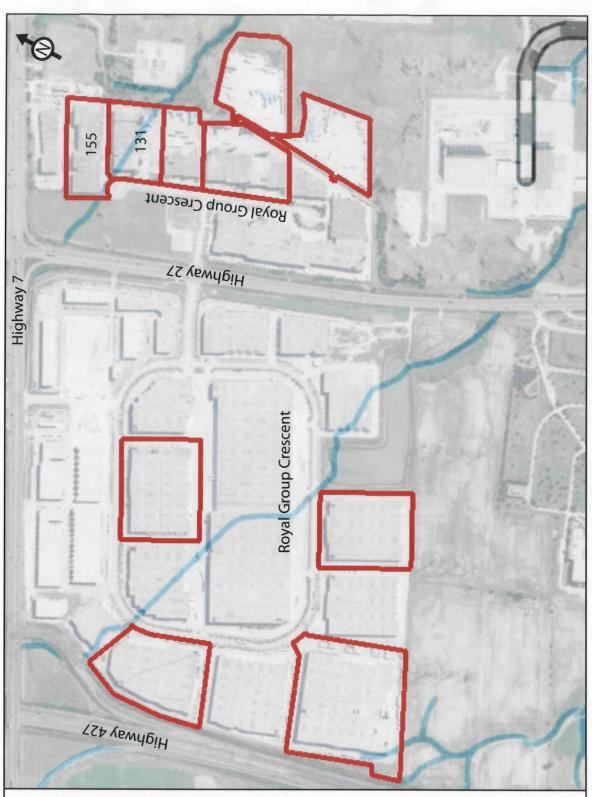


City of Vaughan Draft Official Plan, April 19, 2010, Schedule 11 Wellhead Protection Areas Overlay

Watercourses



Royal Group Inc. lands and lands in which Royal has an interest



Sources: City of Vaughan Draft Official Plan & City of Vaughan





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OMPOZITE MWS K

Ko, Augustine

From:

Kelly, Denis

Sent:

October 6, 2010 8:50 AM

To:

Gallant, Michelle

Subject:

FW: Adopted Vaughan Official Plan - Royal Group, Inc.

Attachments: 1712ltr.Region.Oct.05.10.pdf; Vaughan By-law 235-2010.pdf;

Vaughan.OP_Royal.Submission_June.07.2010.pdf

From: Pound & Stewart Associates Limited [mailto:info@cityplan.com]

Sent: Tuesday, October 05, 2010 4:36 PM

To: Kelly, Denis

Cc: Tuckey, Bryan; 'Zipay, John'; elderc@ggc.com; 'John Nashmi'; rjgray@graylaw.ca

Subject: Adopted Vaughan Official Plan - Royal Group, Inc.

Mr. Kelly,

Please refer to the attached letter and supporting documentation which will follow by regular mail.

If you have any questions or comments in the meantime please advise.

Thank-you

Phil Stewart, MCIP, RPP **Principal** pstewart@cityplan.com



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Fax: 416 482 9629 Toll Free: 1 800 250 9056

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From: Kelly, Denis

Sent: October 6, 2010 8:50 AM

To: Gallant, Michel

Subject: FW: Adepted Vaugnen Official Ried.- Poyal Group, Inc.

Attachments: 1712ltr,Region.Cot.05.10.pdf; Vaughen By-law 235-2010.pdf; Vaughan.OP: 19oval.Submission, June.07.2010.pdf

From Found & Stewart Associates Inmited [mailtoninfo@cityplan.com]

beggin Tuesday, October 85: 2019 4:36 Fl

Ter Keliy, Denis-

Ger Tuckey, Bryan; "Zipay, John", elderc@ gc.com; "John Nashmi", rigray@graylaw.ea Subtract: Adopted Vauchad Official Plan - Royal Group, Inc.

Nit. Kelly

Please refer to the attached letter and supporting documentation which will follow by regular mall.

If you have any questions or commerts in the meantime please advise.

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Phil Stewart, MCIP, RPP Principal patential distribution com-

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D06,2010.V.01.022

Ko, Augustine

From: developmentservices

Sent: October 5, 2010 3:22 PM

To: Ko, Augustine

Subject: FW: New City of Vaughan Official Plan...

From: Maurizio Rogato [mailto:mrogato@solmar.ca]

Sent: Tuesday, October 05, 2010 3:15 PM

To: developmentservices

Subject: New City of Vaughan Official Plan...

Please be advised, I am writing to request a Notice of Decision as it relates to the newly adopted *City of Vaughan Official Plan*.

My contact information is located below.

Thank you,

Maurizio Rogato, B.U.R.Pl., M.C.I.P., R.P.P.



122 Romina Drive, Concord, Ontario L4K 4Z7 Tel: (905) 850-3161 EXT. 230 Fax: (905) 660-4002 www.solmar.ca

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Goodmans

Bay Adelaide Centre 333 Bay Street, Suite 3400 Toronto, Ontario M5H 2S7

Telephone: 416.979.2211 Facsimile: 416.979.1234 goodmans.ca

Direct Line: 416.597.4197 jbates@goodmans.ca

October 4, 2010

Our File No.: 091332

Regional Municipality of York Planning Department 17250 Yonge Street 4th Floor Newmarket, ON L3Y 6Z1

Dear Sirs/Mesdames:

Re: Request for Notice of Decision City of Vaughan Official Plan 2010

We are the solicitors for the Block 34 East Landowners Group Inc. in respect of the above-noted matter. On behalf of our client, we are requesting notice of any decision made by the Regional Municipality of York in respect of the City of Vaughan's official plan 2010.

Yours truly,

Goodmans LLP

Per:

udy Bates, MCIP, RPP

Land Use Planner

JAB/mr \5891445

Ko, Augustine

D06.2010.V.01.020

From:

Jeffrey Land Lawyer [jeffrey@landplanlaw.com]

Sent:

October 4, 2010 1:31 PM

To:

Regional Clerk

Cc:

Ko, Augustine

Subject: City of Vaughan OP 2010 and Yonge Steeles Corridor Secondary Plan - Request for Notice of

Proposed Decision By Approval Authority

I represent Haulover Investments, owner of 8100 Yonge Street, Vaughan.

Written submissions and deputations were made to Vaughan in connection with the above matters.

I would appreciate an opportunity to meet with Staff prior to any recommendation report being made to Regional Council in connection with the OP and secondary plan.

I would also request notice of any decision made by the region in connection with the OP and Yonge Steeles Secondary Plan.

Thanks.

Jeffrey E Streisfield, BA LLB MES Land Lawyer & Development Manager

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Blake, Cassels & Graydon LLP Barristers & Solicitors Patent & Trade-mark Agents 199 Bay Street Suite 2800, Commerce Court West Toronto ON M5L 1A9 Canada Tel: 416-863-2400 Fax: 416-863-2653

October 4, 2010

VIA FACSIMILE & REGULAR MAIL

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

Reference: 24580/799

Regional Clerk, Clerks' Department Region of York 17250 Yange Street, 4th Floor Newmarket, ON L3Y 6Z1

Re:

City of Vaughan, New Official Plan

Re:

Request for Notice of Decision pursuant to Section 17(35) of the Planning Act

Dear Sir:

On behalf of our clients, United Parcel Service Canada Ltd. and 724352 Ontario Ltd., we hereby request written notice of any decision made by the Region of York in its capacity as approval authority for the new Official Plan for the City of Vaughan, including any decision made with respect to the Yonge-Steeles Corridor Secondary Plan (City of Vaughan File YS-25.5.12.4).

Thank you in advance for your assistance.

Yours very truly,

T. W. Bermingham TWB/edd

Clement Chong, City of Vaughan, Policy Planner C: Melissa Rossia, City of Vaughan, Policy Planner

- both via e-mail

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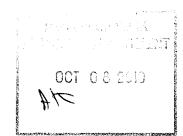


WESTON CONSULTING GROUP INC.

'Land Use Planning Through Experience and Innovation'

October 4, 2010 File No. 3678

Mr. Bryan Tuckey
Commissioner of Planning
Regional Municipality of York
Planning Department
17250 Yonge Street
4th Floor
Newmarket ON
L3Y 6Z1



ATTENTION: Augustine Ko

Dear Sir:

Re:

City of Vaughan Official Plan

Ahmadiyya Muslim Jama'at Canada Inc.

10610 Jane Street - West side of Jane St. south of Teston Road

We are planning consultants to Ahmadiyya Muslim Jama'at Canada Inc., the owners of the lands at the above location ("the subject lands").

In 2009, the City of Vaughan enacted a zoning by-law to permit the future expansion of the mosque and a campus of institutional and residential buildings located east and west of the mosque. The first building, a community centre, is now under construction, but the entire campus will not be completed for many years.

The new Official Plan of the City of Vaughan designates the subject property as "Community Area" (Schedule 1) and "Low-Rise Residential" (Schedule 13-I). There are no site-specific provisions. As was explained to the City in the attached letter dated May 27, 2010 (attached), the new Official Plan designations do not recognize the zoning approvals granted in 2009.

The new Official Plan would not interfere with the ability of our clients to secure site plan approvals and building permits in accordance with the existing zoning, as long as that zoning remains intact. The new Official Plan is problematic, however, in three ways:

The City has stated that it intends to bring the Zoning By-law into conformity with the Official Plan by way of a program that will commence in 2012. Our clients would accordingly be vulnerable to future City-initiated zoning amendments that would eliminate permitted uses and reduce permitted building heights. Such an outcome would seriously undermine our clients' vision for these lands, and would

Since 1981

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Office: 201 Millway Avenue, Unit 19, Vaughan, Ontario, L4K 5K8

Tel. 905-738-8080

Oakville Office:

1660 North Service Road East, Suite 114,

Oakville, Ontario, L6H 7G3

Tel. 905-844-8749

negate our clients' efforts in preparing the master plan and supporting studies for the City's review, all at significant expense.

- Even if there are no City-initiated zoning changes, the lack of conformity of the existing zoning with the Official Plan will present difficulties for our clients. If in the future it is determined that a variance from the existing zoning provisions is required and desirable, the Committee of Adjustment may not have jurisdiction to deal with it there are issues related to Official Plan conformity. As a result, the more elaborate procedures associated with official plan and zoning amendments could be required to deal with minor matters.
- 3. Finally, as a matter of principle, it is disconcerting for our clients that the City's new Official Plan, as a forward-looking policy document, does not recognize the role of the proposed mosque campus in the Vaughan community.

We are aware of Official Plan Policy 9.2.1.9 which maintains existing policies relating to places of worship, pending further review. This policy does not, however, defer the policies of the Official Plan related to the mosque campus, and therefore does not alleviate any of the above concerns.

We would request consideration of a modification to the new Official Plan to recognize the mosque campus by way of a site-specific policy. We would be pleased to discuss this with you further.

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

Yours truly.

Weston Consulting Group Inc.

Per:

Alan Young BES MSc MCIP RPP

Senior Associate

cc. Dr. Aslam Daud

Muhammad Khan John Zipav, Citv of Vaughan

Aran your

Diana Birchall, City of Vaughan

Grant Uyeyama, City of Vaughan



May 27, 2010 File No. 3678

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

Dear Sir:

Re:

City of Vaughan draft Official Plan - April 19, 2010

File #OP.25.1

AND

Review of Official Plan Policies and Zoning Provisions

Related to Places of Worship - June 1, 2010

File# Z.10.015 (Related File 15.34.1)

Ahmadiyya Muslim Jama'at Canada Inc. 10610 Jane Street - West Side of Jane Street south of Teston Road

Weston Consulting Group Inc. (WCGI) is the planning consultant for the Ahmadiyya Muslim Jama'at Canada Inc., the owner of the subject lands located at 10610 Jane Street, on the west side of Jane Street, south of Teston Road, in the community of Maple (herein referred to as the 'subject lands').

The subject lands are designated "Low Density Residential" by OPA 600 and zoned A Agricultural Zone by By-law 1-88. The subject lands were subject to a Site Specific Zoning By-law Amendment Application (Z.05.010) to permit a Mosque Campus, consisting of an underground expansion to the existing Mosque, a Technology and Communications Centre. Security building, Guest Residence, townhouse dwellings, Hospitality Hall, Community Hall and Offices, Library, and 4-storey Staff and Seniors Apartment Residence. Council approved the application, and enacted the implementing zoning by-law on June 30, 2009. Please refer to the attached Zoning By-law 181-2009 schedules for the location of the subject lands and the approved development concept.

WCGI has been monitoring the City's preparation of the new Official Plan and proposal to amend Zoning By-law 1-88 standards respecting places of worship as it relates to the subject lands. WCGI has also reviewed the Committee of the Whole (Working Session) April 12. 2010 staff Report.

On behalf of our client, WCGI offers the following comments on the Official Plan polices and zoning provisions as it relates to the subject lands.

Since 201 Milway Avenue, Unit 19, Vaughan, Ontario, L4K 5K8

1. Proposed Land Use Designation

Under the draft Official Plan (April 19, 2010), the subject lands are designated "Low Rise Residential". Places of Worship are permitted in "Low Rise Residential" areas provided they are located on a public street with a minimum right-of-way of 26 metres. Since the minimum right-of-way for Jane Street is 36 metres, the existing mosque would be permitted by this designation.

It is not clear, however, that the other components of the mosque campus would be allowed. "Public and private institutional buildings are allowed" but these are defined as "public" uses, which would exclude the institutional and recreational uses that will make up the mosque campus. Also, the approved 4-storey apartment building would not be allowed because its building type and height. A maximum of 3 storeys is proposed to apply in this designation.

We request that the full range of uses and building heights as allowed in the in-force zoning amendment (By-law 181-2009) be fully recognized in the new Official Plan. A site-specific policy will probably be required.

2. Zoning By-law Proposals

It is proposed that "Places of Worship" be eliminated as permitted uses in an A Agricultural Zone. The April 12, 2010 staff report states: "The proposed removal of "Places of Worship" as permitted uses in an A Agricultural Zone would result in legally existing places of worship becoming legally non-conforming, and, like other legally non-conforming properties, not able to receive a building permit for any expansion or improvements without first obtaining Committee of Adjustment approvals."

On behalf of our client, we strongly object to this outcome. The mosque should continue to enjoy full conforming status under the zoning by-law. Also, the site-specific zoning provisions should be carried forward to ensure that the entire mosque campus can be constructed incrementally without requiring further rezonings or minor variances.

In addition, we suggest that the City consider an update to By-law 1-88's general provisions related to "Height Exceptions" (Section 3.5) which exempts "Church spires" and "clock towers" but not domes and minarets from the general height limits. While the site specific Zoning By-law 181-2009 for the subject lands does exempt domes and minarets, a general amendment would be appropriate to recognize the diversity of faiths and related architectural styles that has emerged in the City.

We also suggest that the City consider an Institutional Zone which would be applied to this property and other like properties, accompanied by the site-specific regulations. The existing Agricultural zoning of this site is clearly obsolete.

We request that the above comments be addressed in the official plan and zoning review.

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

Yours truly,

Weston Consulting Group Inc.

Per:

Alan Young BES MSc MCIP RPP

Aran How

Senior Associate

Cc: Karim Tahir, Ahmadiyya Muslim Jama'at Canada Inc

Dr. Aslam Daud, Ahmadiyya Muslim Jama'at Canada Inc

John Zipay, City of Vaughan
Diana Birchall, City of Vaughan
Arto Tikiryan, City of Vaughan
Pino DiMascio, Urban Strategies

Emily Reisman, Urban Strategies

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 181-2009

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 is in force at this time;

AND WHEREAS there has been no amendment to the Vaughan Official Plan adopted by Council but 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 A Agricultural Zone and OS2 Open Space Park Zone to A Agricultural Zone and A(H) Agricultural Zone, with the addition of the Holding Symbol "(H)" in the manner shown on the said Schedule "1".
 - b) Adding the following Paragraph to Section 9.0 "EXCEPTIONS":
 - "(1326) A. The following provisions shall apply to all lands zoned with the Holding Symbol "(H)" as shown on Schedule "E-1454", until the Holding Symbol "(H)" is removed pursuant to Subsection 38(3) or (4) of the Planning Act:
 - i) Lands zoned with the Holding Symbol "(H)" shall be used only for.
 - a use legally existing as of the date of the enactment of Bylaw 181-2009, or the production of field crops; and/or,
 - up to a maximum of seven (7) portables for the temporary
 use of offices accessory to a place of worship and teaching
 classrooms only in accordance with an approved Site
 Development Application pending the construction of the
 new Buildings.
 - The Holding Symbol "(H)" shall not be removed from the Subject Lands or phase/portion thereof until the following conditions are satisfied:
 - a) water supply and sewage servicing capacity has been identified and allocated by Council;
 - approval of a Site Development Application, including but not limited to, stormwater management concerns of the Toronto and Region Conservation Authority; and,
 - c) written clearance from the Trustee for the Block 33 East

Landowners Group confirming that the Owner of the Subject Lands has entered into and signed the Block 33 East Cost Sharing Agreement.

B. Notwithstanding the provisions of:

- a) Subsections 8.0 and 8.1 respecting Uses Permitted in the A Agricultural Zone;
- b) Subsection 3.5 respecting the Height Exceptions in the A

 Agricultural Zone;
- Paragraphs 3.8 a), b) and c) respecting Parking Requirements in the A Agricultural Zone;
- d) Paragraph 3.9 d) respecting the Loading Space Requirements in the A Agricultural Zone;
- Subsection 3.13 respecting the Minimum Landscaped Area Percentage for a Lot and Minimum Landscaped Area where an Institutional Use abuts the boundary of lands zoned Open Space or Residential in the A Agricultural Zone;
- Subsection 8.1 and Schedule "A" respecting the Minimum Lot Area, Minimum Yard and Maximum Building Height Requirements in the A Agricultural Zone;

the following provisions shall apply to the lands shown as "Subject Lands" on Schedule "E-1454";

- ai) the following Uses shall be Permitted:
 - a) <u>Building "A"</u>: A Building used as a "Technology and Education Centre" for the purposes of technology, communications and educational activities, that includes communications production for television broadcasting and programming, and a lecture/meeting hall, where the Maximum Gross Floor Area for the Building shall not exceed 4,615 m², with a maximum lecture/meeting hall seating capacity of 100 people;
 - Building "B": A Building (klosk) used as a "Security Building", where the Maximum Gross Floor Area for the Building shall not exceed 26 m²;
 - Building "C": A Building used as a "Guest Residence", where the Maximum Gross Floor Area for the Building shall not exceed 2,505 m²;
 - d) <u>Buildings "D", "E, "F" and "G"</u>: Townhouse Dwellings containing up to a Maximum of 6 Units per Building;

e) <u>Building "H"</u>: A Building used as a "Hospitality Hail" for the purposes of entertaining a large assembly of people, that includes a community dining hall, kitchen and food preparation area, and an accessory office, where the Maximum Gross Floor Area for the Building shall not exceed 2,350 m², with a maximum dining hall seating capacity of 500 people;

For the purposes of this paragraph, a "Hospitality Hail" shall mean: a Building that is used to prepare and/or provide food and drink for consumption within or outside the Building for functions associated with the place of worship, on the same Lot, and shall not be for commercial purposes.

f) Building "J": A Building used as a "Community Hall and Offices" for the purposes of social and recreational functions, and office use, that includes multi-purpose halls/auditoriums, where the Maximum Gross Floor Area for the Building shall not exceed 11,210 m², with a maximum community hall seating capacity of 1,500 people for the "Community Hall", and a maximum full-time office workers capacity of 50 people for the "Offices";

For the purposes of this paragraph a "Community Hall and Offices" shall mean a Building with multi-purpose halls/auditoriums that is used for functions associated with the place of worship, on the same Lot, and shall not be used for commercial purposes.

- g) <u>Building "K"</u>: A Building used as a "Library", where the Maximum Gross Floor Area for the Building shall not exceed 2,315 m², including a Besement Gross Floor Area of 770.19 m²;
- building "I,": A Building used as a "Place of Worship", where the Maximum Gross Floor Area for the Building shall not exceed 2,630 m², including a Basement Gross Floor Area of 1,753 m²;
- Building "M": A Building used as an "Office", where the Maximum Gross Floor Area for the Building shall not exceed 510 m²;
- Building "N": A "Residential Apartment Building" containing

- up to a Maximum of 80 Units;
- up to a maximum of seven (7) portables for the temporary
 use of offices accessory to a place of worship and teaching
 classrooms only in accordance with an approved Site
 Development Application pending the construction of the
 new Buildings;
- bi) the Height restrictions shall not apply to:
 - a) carillon towers;
 - b) domes;
 - c) ornamental towers;
 - d) minarets;

**** ** *

- ci) the Minimum Number of Parking Spaces shall be:
 - a) Building "A": 2 spaces per 100 m² of Gross Floor Area (GFA);
 - Building "B": 3 spaces, provided the Building does not exceed 30 m² of GFA;
 - Building "C": 4 spaces, provided the Building does not exceed 2,550 m² of GFA;
 - d) Buildings "D", "E", "F" & "G": 2 spaces per Unit;
 - e) Building "H": 1 space per every 3 persons in the maximum designed capacity/occupancy of the Building;
 - f) Buildings "J" & "L": 2 spaces per 100 m² of GFA, provided a minimum of 222 spaces are provided;
 - g) Building "K": 2 spaces per 100 m² of GFA:
 - h) Building "M": 2 spaces per 100 m2 of GFA;
 - i) Building "N": 1.5 spaces per Unit;
- Loading and Unloading place anywhere on the Lot except between a Building and Highway #400, and a Building and Jane Street;
- ei) a Minimum of 35% of the Lot shall be Landscaped;
- eii) the Minimum Landscaped Strip shall be 1.5 m and 2.0 m abutting the north property line and 1.5 m abutting the south property line as shown on Schedule "E-1454":
- fi) the Minimum Lot Area shall be 9.7 ha:
- fil) the Minimum Yards shall be:
 - a) Front (East): 14 m;
 - b) Interior Side (South): 13 m for Buildings "F" and "G";
 - c) Exterior Side (North): 8 m for Building "N";
 - d) Rear (West): 14 m for the Highway 400 property limit,

above and below grade, including any aisles and parking areas;

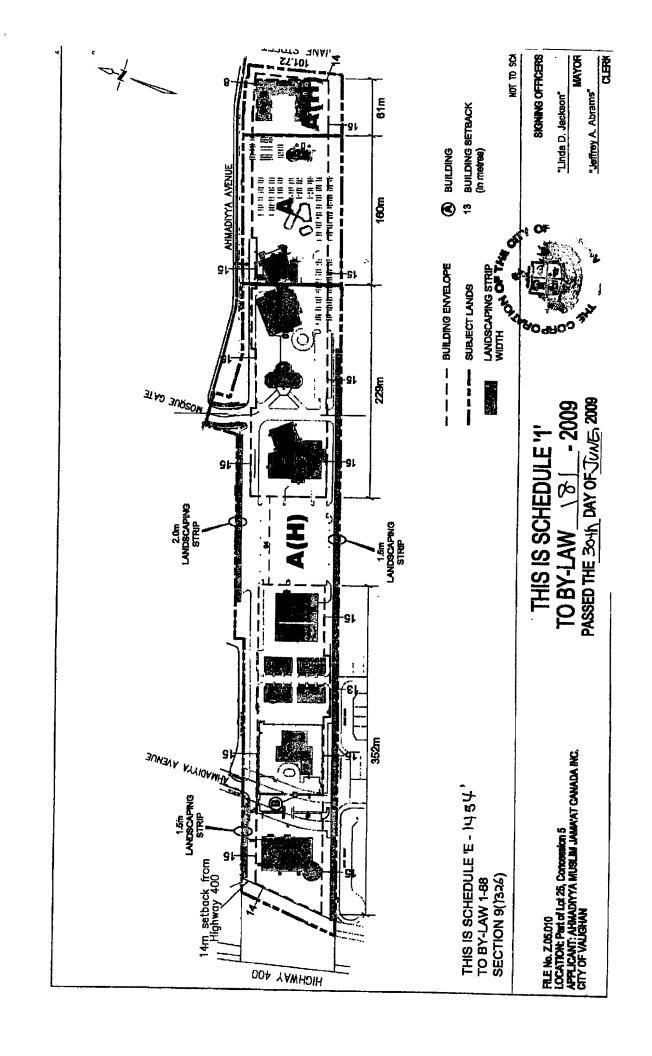
- fili) the Meximum Building Height for Building "N" shall not exceed 15 m (4 storeys)."
- c) Adding Schedule "E-1454" attached hereto as Schedule "1".
- d) Deleting Key Map 5E and substituting therefor the Key Map 6E attached hereto as Schedule "2".
- Schedules "1" and "2" shall be and hereby form part of this By-law.

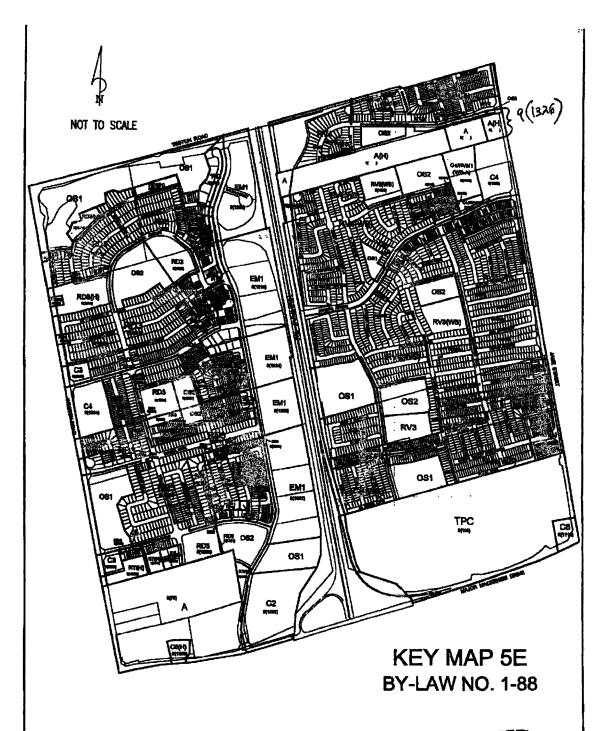
READ a FIRST, SECOND and THIRD time and finally passed this 30th day of June, 2009.

"Linda D. Jackson"
Linda D. Jackson, Mayor

"Jeffrey A. Abrams"

Jeffrey A. Abrams, City Clerk





THIS IS SCHEDULE '2'
TO BY-LAW | 8 | - 2009
PASSED THE 304 DAY OF JUNE, 2009



FILE No. Z.05.010 LOCATION: Part of Lot 25, Concession 5 APPLICANT: AHMADIYYA MUSLIM JAMA'AT CANADA INC. CITY OF VAUGHAN SIGNING OFFICERS

"Linda D. Jackson"

MAYOR

"Jeffrey A. Abrams"

CLERK

SUMMARY TO BY-LAW 181-2009

The lands subject to this By-law are located on the west side of Jane Street, south of Teston Road, being Part of Lot 25, Concession 5, City of Vaughan.

The purpose of this By-law is to rezone the subject lands from A Agricultural Zone and OS2 Open Space Park Zone to A Agricultural Zone and A "(H)" Agricultural Zone, with addition of the Holding Symbol "(H)" to facilitate the development of the 9.78 ha subject lands with a campus development consisting of 13 buildings related to the existing place of worship.

The By-law zones portions of the subject lands A(H) Agricultural Zone, with the addition of the Holding Symbol "(H)", which cannot be removed until the following specific conditions are addressed:

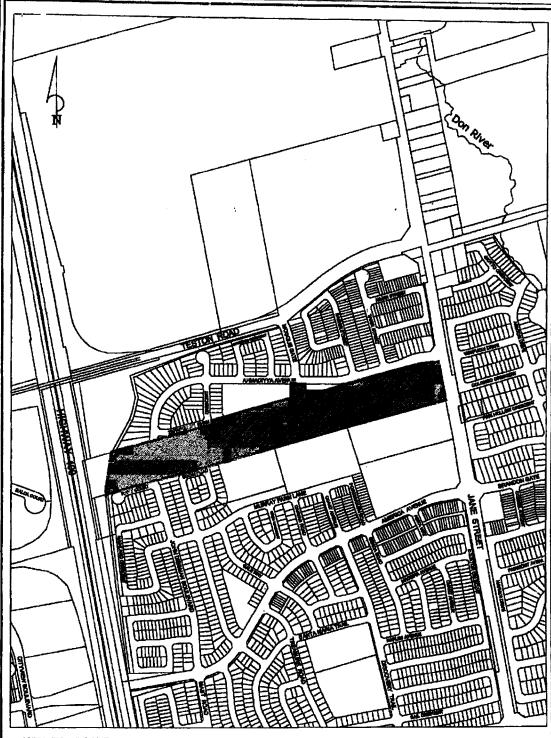
- Lands zoned with the Holding Symbol "(H)" shall be used only for:
 - a use legally existing as of the date of the enactment of the By-law for the subject lands, or the production of field crops; and/or, a)
 - up to a maximum of seven (7) portables for the temporary use of offices accessory to a place b) of worship and teaching classrooms only in accordance with an approved Site Development Application pending the construction of the new Buildings.
- The Holding Symbol "(H)" shall not be removed from the Subject Lands or phase/portion thereof until 2. the following conditions are satisfied:

 - water supply and sewage servicing capacity has been identified and allocated by Council; approval of a Site Development Application, including but not limited to, stormwater b) management concerns of the Toronto and Region Conservation Authority; and,
 - written clearance from the Trustee for the Block 33 East Landowners Group confirming that c) the Owner of the Subject Lands has entered into and signed the Block 33 East Cost Sharing Agreement.

The By-law also provides site specific zoning requirements to facilitate the development of the buildings proposed to be utilized for a Technology and Education Centre (Building "A"), a Security Building (Building "B"), a Guest Residence (Building "C"), 24 Townhouse Dwelling Units (Buildings "D", "E", "F" and "G"), a Hospitality Hall (Building "H"), a Community Hall and Offices (Building "J"), a Library (Building "K"), a Place of Worship (Building "L"), an Office Building (Building "M"), an 80 Unit Apartment Building (Building ("N") and up to a maximum of seven (7) portables for the temporary use of offices accessory to a place of worship and teaching classrooms only in accordance with an approved Site Development Application pending the construction of the new Buildings.*** /.

The By-law provides for alte specific exceptions for the parking standards for each building, loading and unloading locations on the lot, and landscaping, minimum yard and building height requirements for the A Agricultural Zone requirements in By-law 1-88 as follows:

- 1. exempt carillon towers, domes, ornamental towers and minarets from height restrictions;
- 2. require a minimum of 1,020 parking spaces, whereas 1,020 parking spaces are required;
- 3. permit loading and unloading anywhere on the lot, except between a building and Highway #400, and a building and Jane Street, whereas no loading and unloading is permitted between a building and a
- require a minimum landscaped strip of 1.5 m and 2.0 m abutting the north property line and 1.5 m abutting the south property line for portions of the lot, whereas a landscaped strip of 2.4 m is required;
- 5 require a minimum landscaped area of 35%, whereas a landscaped area of 10% is required;
- 6. require a minimum lot area of 9.7 ha, whereas a minimum lot area is not required;
- 7. require a minimum front (east) yerd of 14 m, whereas a front yard of 15 m is required;
- A. require a minimum interior side (south) yard of 13 m, whereas an interior side yard of 15 m is required;
- require a minimum exterior side (north) yard of 8 m, whereas an exterior side yard of 15 m is required; 9.
- 10. require a minimum rear (west) yard of 14 m for the Highway 400 property limit, above and below grade, including any alsles and parking areas, as required by the Ministry of Transportation; and,
- permit up to a maximum building height of 15 m (4 storeys) for Building "N", whereas a maximum 11. building height of up to 11 m is permitted.



NOT TO SCALE

LOCATION MAP TO BY-LAW __(%) - 2009

FILE No. Z.05.010

LOCATION: Part of Lot 25, Concession 5
APPLICANT: AHMADIYYA MUSLIM JAMA'AT CANADA INC.
CITY OF VAUGHAN





September 30, 2010 File No. 5190-2

REGION OF YORK

PLANNING DEPARTMENT

OCT 0 5 2010

Mr. Bryan Tuckey Commissioner of Planning Regional Municipality of York 17250 Yonge Street 4th Floor Newmarket ON L3Y 6Z1

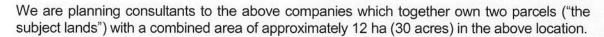
ATTENTION: Augustine Ko

Dear Sir:

Re: City of Vaughan Official Plan

Woodbridge Farmers Co. Ltd., 1510904 Ontario Ltd. and 1510905 Ontario Ltd.

East side of Highway 50 north of Highway 7



The new Official Plan of the City of Vaughan designates the subject property as "Commercial Mixed Use" and "Prestige Employment" (Schedule 13-P). The subject lands are located within the Huntington Business Park which has a specific area policy (12.13) permitting a Service Node beside Highway 50 on the southerly parcel, straddling the boundary between the two land use designations.

We made submissions on the draft Official Plan in the attached letters dated May 17, 2010, and received partial responses to the extent that the Commercial Mixed Use designation, as shown on the land use plan, has been deepened from 100 metres to 200 metres from Highway 7, and the previously approved Service Node, as designated in the Block Plan, is now part of the new Official Plan (Section 12.13).

We have two remaining concerns in relation specifically to the subject lands:

 Policy 10.2.1.5 indicates that the depth of the Commercial Mixed Use designation is only "one lot depth". This provision would effectively cancel the Commercial Mixed Use designation on the subject lands which comprise the second and third parcels north of Highway 7. In the result, there would be a shallow intensification corridor at this prime corner, which, our submission, would not be good planning.

Since 1981

Vaughan Office:

201 Millway Avenue, Unit 19, Vaughan, Ontario, L4K 5K8

Tel. 905-738-8080

Oakville Office:

1660 North Service Road East, Suite 114,

Oakville, Ontario, L6H 7G3

Tel. 905-844-8749

2. The new Official Plan places the Service Node at the intersection of a future public road and Highway 50. Owing to its proximity to Highway 7, this intersection cannot be signalized, and left hand turns into and out of the site are expected to be prohibited. We would request that the Service Node be placed further north, at the boundary between the north and south parcels, where it will be located at a future signalized intersection, as approved by the Regions of Peel and York.

We would request that consideration be given to modifications to the City of Vaughan Official Plan to address the above issues. We would be pleased to discuss these matters with you further.

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

Yours truly,

Weston Consulting Group Inc.

Per:

Alan Young BES MSc MCIP RPP

Aran yo

Senior Associate

cc. Dennis Hayhoe and Bernie Hayhoe John Zipay, City of Vaughan

Diana Birchall, City of Vaughan Grant Uyeyama, City of Vaughan



May 17, 2010 File No. 5190-2

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

Dear Sir:

Re:

City of Vaughan Draft Official Plan - April 2010

Woodbridge Farmers Co. Ltd., 1510904 Ontario Ltd. and 1510905 Ontario Ltd.,

East side of Highway 50 north of Highway 7

File#OP.25.1

Weston Consulting is Group Inc. (WCGI) is the planning consultant for the above companies which together own two parcels with a combined area of approximately 12 ha (30 acres), located on the east side of Highway 50 north of Highway 7 (see attached air photo). The lands are zoned EM1. The southerly parcel is partially developed with a multi-unit industrial building, and the northerly parcel is vacant.

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Plan) and by the approved Block 57/58 Huntington Business Park Plan. The Block Plan also identifies a Service Node at the future intersection of Highway 50 and a future east-west collector road that will bisect the southerly subject property, 200 metres north of Highway 7.

Because of the proximity of the above intersection to Highway 7, it is unlikely that it will be signalized. Instead, Peel Region has approved the future signalization of a private entrance to be constructed north of the existing building, opposite a private commercial entrance on the west side of Highway 50. This intersection would be approximately 500 metres north of Highway 7.

Our clients would like to maintain the Service Node designation, or equivalent, on their parcels, to be located at the above-described future signalized intersection. The purpose of the Service Node would be to provide commercial services to employees and business in the Business Park, in an accessible location, across from other future commercial uses in the City of Brampton.

We note that the draft Official Plan's Prestige Employment designation would no longer permit a Service Node or equivalent on the subject property. We would request that consideration be given to incorporating the foregoing into the new Official Plan based on the current Official Plan permission, the future accessibility of the site, and location of the proposed Service Node in immediate proximity to commercial lands in the City of Brampton.

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

Yours truly,

Weston Consulting Group Inc.

Per:

Alan Young, BES MSc MCIP RPP

Senior Associate

Sandra K. Patano, MES MCIP RPP

Senior Planner

cc: Dennis Hayhoe and Bernie Hayhoe, Woodbridge Farmers Co. Ltd.

John Zipay, City of Vaughan Diana Birchall, City of Vaughan Pino DiMascio, Urban Strategies Emily Reisman, Urban Strategies





WESTON CONSULTING GROUP INC.



		File No:	5190-2
		Date Drawn:	May 17, 2010
		Drawn By:	M.H
		Planner:	S.P
		Scale:	See Scale Bar
CAD File: 5190	/ airphoto/5190-2 airph	oto with signaliza	ition May 17_10.dgn

Subject Lands



Approved Future Signalized Entrance

Source of Air Photograph; Google Earth Pro Date of Photograph; August 31, 2009

AIR PHOTOGRAPH

WOODBRIDGE FARMERS CO. LTD., 1510904 ONTARIO LTD. & 1510905 ONTARIO LTD.

CITY OF VAUGHAN REGIONAL MUNICIPALITY OF YORK



May 17, 2010 File No. 5190

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

Dear Sir:

Re:

City of Vaughan Draft Official Plan – April 2010 Highway 7 between Highway 50 and Highway 427

File# OP.25.1

Weston Consulting Group Inc. (WCGI) is the planning consultant for the Woodbridge Farmers Company Limited, Zzen Group of Companies, and Seven 427 Developments Inc., the owners of the subject lands located north and south of Highway 7 between Highways 50 and 427 (herein referred to as the 'subject lands'). See attached air photo for location of subject lands.

The subject lands are governed by OPAs 450 and 660, and fall within the approved Huntington Business Park Block Plan. OPA 660 identifies an Intensification Corridor straddling Highway 7, to a depth of 200 metres in each direction from Highway 7. Portions of the subject lands are located within this Intensification Corridor and are designated "Prestige Areas – Centre + Avenue Seven Corridor".

WCGI has been monitoring the City's preparation of the new Official Plan as it relates to the subject lands. On Monday May 3, 2010, WCGI attended the City of Vaughan's Statutory Public Open House on the draft Official Plan. WCGI has also reviewed the draft Official Plan Volume 1 document (April 2010).

On behalf of our clients, WCGI offers the following comments on the draft Official Plan as it relates to the subject lands.

Proposed Land Use Designations

Under the draft Official Plan, the subject lands fall under several designations, including Commercial Mixed-Use, General Employment, and Prestige Employment.

(Land Use Schedule 13-P). The Commercial Mixed-Use lands would have a height limit of 10 storeys and a maximum density of 3.0 F.S.I.

The following are our comments on the proposed Commercial Mixed Use policies as they are proposed at this time. We reserve our overall opinion until staff respond to the comments below..

2. Depth of Intensification Corridor from Highway 7

The Commercial Mixed-Use designation in the draft Official Plan is intended to implement the Intensification Corridor policies previously recognized in OPA 660, but, as depicted on Schedule 13-P, it is generally only half the depth from Highway 7 (100 metres instead of 200 metres).

On the north side of Highway 7 between Highway 50 and Huntington Road, the intensification corridor is even shallower, i.e. only approximately 50 metres deep, which results in the complete removal of the intensification corridor from the Woodbridge Farmers lands.

We understand from staff that the above reductions in the depth of the Intensification Corridor were <u>not</u> deliberate.

We request that the 200-metre depth be maintained to provide more site planning flexibility for the future, and to allow more intensive uses on lands within walking distance of the future Highway 7 rapid transit corridor. East/west roads, which form part of the approved Block Plan, are located 200 metres north and south of Highway 7, and will accordingly provide a suitable boundary for the Intensification Corridor, as contemplated in OPA 660.

Commercial Mixed-Use Limitations

The proposed Commercial Mixed Use designation would permit offices, hotels, retail uses and gas stations (9.2.2.7(b)), and states that "retail uses shall not exceed 50 percent of the total gross floor area of all uses on the lot." (9.2.2.7 (c)).

The proposed designation would significantly reduce the range of permitted development opportunities from what is allowed by OPA 660. No service commercial or recreational uses would be allowed. Retail uses would only be allowed in conjunction with offices or a hotel, the demand for which is not yet evident in this part of the Highway 7 corridor. The policies would, accordingly, allow only the desired "end-state" for this intensification corridor, not a gradual evolution towards that "end-state".

We request that the range of uses be significantly broadened to reflect the current policies in OPA 660, and that the limitations designed to leverage office and hotel development be eliminated. Office and hotels will be permitted uses and once the market demand for them emerges, they can and will be built. If there is no demand, they cannot be forced into existence by Official Plan requirements. More thought needs to be given to development staging.

We request that the above comments be considered in the preparation of the City's Official Plan.

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

Yours truly,

Weston Consulting Group Inc.

Per:

Alan Young, BES MSc MCIP RPP

Senior Associate

Sandra K. Patano, MES MCIP RPP

Senior Planner

Cc: Sam Speranza, Zzen Group of Companies

Paula Bustard, Seven 427 Developments Inc.

Dennis Hayhoe, Woodbridge Farmers Company

John Zipay, City of Vaughan Diana Birchall, City of Vaughan

Pino DiMascio, Urban Strategies

Emily Reisman, Urban Strategies

LANGSTAFF ROAD WOODBRIDGE FARMERS SEVEN 427 DEVELOPMENTS ZZEN GROUP HIGHWAY 7 ZZEN GROUP HIGHWAY 407 LEGEND WESTON CONSULTING GROUP INC. **AIR PHOTOGRAPH WITH** OPA 660 INTENSIFICATION CORRIDOR LIMITS & DRAFT OFFICIAL PLAN (April 2010) INTENSIFICATION CORRIDOR LIMITS SUBJECT LANDS OPA 660 Intensification Corridor Limit/ Intensification Centre File No: 5190 Date Drawn: May 14, 2010

Scale: CAD File: 5190/ airphoto/5190 airphotoIntensification corridor limits.dgn

Drawn By:

Planner:

M.H

S.P

See Scale Bar





Source of Air Photograph: Google Earth Pro Date of Photograph: August 31, 2009

WOODBRIDGE FARMERS CO. LTD., SEVEN 427 DEVELOPMENTS INC. & ZZEN GROUP OF COMPANIES

CITY OF VAUGHAN REGIONAL MUNICIPALITY OF YORK

OCT 0 5 20.0

September 28, 2010.



Augusta National Inc., Queens 400 Executive Offices, 178 Main Street, Unionville, Ontario L3R 2G9
Telephone: (905) 944-9709 Fax: (905) 944-9710 Cellular: (416) 464-0145 E-Mail: everard@rogers.com

Mr. Denis Kelly, Regional Clerk, Corporate Services Department, York Region Administrative Building, The Regional Municipality of York, 17250 Yonge Street,

Newmarket, ON. L3Y 6Z1

Dear Mr. Kelly:

Re: The Corporation of the City of Vaughan By-law Number 235-2010 dated September 7, 2010, adopting the City of Vaughan Official Plan

Please forward to the undersigned a written Notice of the Decision of The Regional Municipality of York concerning the above-noted matter.

Yours truly, Mille Ewhal

Mike Everard, M.Sc., RPP., Principal.

Copy: York Region Planning Department. U

MILLER THOMSON LLP

Barristers & Solicitors
Patent & Trade-Mark Agents

September 30, 2010

Delivered Via Overnight Courier

Regional Municipality of York Planning Department 17250 Yonge Street, 4th Floor NEWMARKET, Ontario L3Y 6Z1

Dear Sirs/Mesdames:

Re: City of Vaughan Official Plan 2010
Request to be Notified of Proposed Decision

Scotia Plaza 40 King Street West, Suite 5800 P.O. Box 1011 Toronto, ON Canada M5H 3S1 T: 416.595.8500 F: 416.595.8695 www.millerthomson.com

Michael J. Wren Direct Line: 416.595.8184 mwren@millerthomson.com

File: 21362,563

We represent Roman Catholic Episcopal Corporation for The Diocese of Toronto, in Canada (the "Archdiocese") in respect of approximately nine (9) property, parish and mission interests throughout the City of Vaughan. Those interests cover all of the City's 5 Wards and represent some 124,000 parishioners.

The Archdiocese has previously had an opportunity to make submissions to the City in respect of new Official Plan policies, particularly as related to Places of Worship.

We understand that, as the approval authority, you will now be considering the City of Vaughan Official Plan 2010. In that regard we take this opportunity to formally request that we be notified of your proposed decision.

We trust that you will find the above of some assistance in your consideration of this matter. Should you have any questions or require copies of the submissions made to the City, please contact the undersigned, or our client's planning consultant, Mr. Paul Stagl (416.784.2952).

Yours very truly,

MILLER THOMSON LLP

Michael J. Wren

MJW/lk

c.c. Mr. D. Finnegan, Archdiocese of Toronto

Mr. P. Stagl, MCIP, RPP, Opus Management Inc.

5255965.1

Toronto

Vancouver

Calgary

Edmonton

London

Kitchener-Waterloo

Guelph

Markham

Montréal



WESTON CONSULTING GROUP INC.

'Land Use Planning Through Experience and Innovation'

September 30, 2010 File No. 4331

Mr. Bryan Tuckey
Commissioner of Planning
Regional Municipality of York
17250 Yonge Street
4th Floor
Newmarket ON
L3Y 6Z1

ATTENTION: Augustine Ko

Dear Sir:

Re: City of Vaughan Official Plan

Lega Holdings Inc. ("Lega")

Northeast corner of Highway 50 and Langstaff Road



We are planning consultants to the above company which owns a 7.633 ha parcel at the above location (Block 64).

The new Official Plan of the City of Vaughan designates the subject property as "Prestige Employment", "General Employment" and "Infrastructure and Utilities" (Schedule 13-K). These designations are generally consistent with the previous designations in OPA 450, the Secondary Plan and the approved Block Plan, but the range of commercial uses permitted within the Prestige Employment designation is significantly reduced in the new Official Plan.

Following approval of Lega's rezoning application, Vaughan Council, on June 8, 2010, enacted Bylaw 144-2010 (attached), rezoning Lega's lands in conformity with OPA 450, the Secondary Plan, and the Block Plan.

A site plan application has not been submitted, and accordingly development of the property has not commenced.

In the attached letter dated May 25, 2010, we requested that the new Official Plan recognize approved zoning on parcels such as Lega's. The City did not take any action in this regard. Accordingly, if the Official Plan is approved as submitted, Lega's lands will be vulnerable to a future downzoning when the City amends its Zoning By-law to achieve conformity with the new Official Plan, despite the significant expenses incurred by Lega in securing a rezoning in accordance with the existing Official Plan.

Since 1981

Vaughan Office:

201 Millway Avenue, Unit 19, Vaughan, Ontario, L4K 5K8

Tel. 905-738-8080

Oakville Office:

1660 North Service Road East, Suite 114, Oakville, Ontario, L6H 7G3

Tel. 905-844-8749

We would request that consideration be given to a modification to the City of Vaughan Official Plan to address the above issue. This could take the form of a site-specific policy. We would be pleased to discuss this with you further.

We request to be provided with notices of York Region's decision with respect to the City of Vaughan Official Plan. Please forward to (1) Ira Kagan, Kagan Shastri LLP, 188 Avenue Road, Toronto ON M5R 2J1 and (2) my attention at Weston Consulting.

Yours truly,

Weston Consulting Group Inc.

Per:

Alan Young BES MSc MCIP RPP

Senior Associate

cc. Rita Salini, Lega Holdings Ira Kagan, Kagan Shastri LLP John Zipay, City of Vaughan Diana Birchall, City of Vaughan

Anan Jours

Grant Uyeyama, City of Vaughan



Weston Consulting Group Inc.

"Land Use Planning Through Experience and Innovation"

May 25, 2010 File No. 4331

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

Dear Sir.

Re:

Draft City of Vaughan Official Plan - April 2010

Lega Holdings Inc. ("Lega")

Northeast Comer of Highway 50 and Langstaff Road

File#OP.25.1

On May 18, 2010, Council approved Lega's application to rezone its 7.63-ha parcel at the above location to C7, EM2, EM3 and OS1, all in accordance with the Official Plan (OPA 450) and the approved Block Plan.

We have reviewed the draft, City-wide, comprehensive Official Plan and note that Prestige and General Employment designations are proposed for the Lega lands, consistent with OPA 450, but that the proposed land use policies would significantly reduce the range of commercial uses permitted within the Prestige Employment designation.

We understand that the City intends to proceed expeditiously with a zoning by-law review to implement the new Official Plan following its adoption. Since the draft Official Plan does not contain a general recognition for uses previously approved through a rezoning process, and since there is no site-specific official plan policy proposed for this location, Lega's property would be vulnerable to a City-initiated downzoning that would significantly reduce the range of permitted commercial uses

Lega has expended considerable efforts to achieve a rezoning in conformity with the City's existing policies, and accordingly requests that the new Official Plan contain appropriate provisions to protect its zoning approval. This approach would be consistent with the recently adopted York Region Official Plan which contains policies recognizing prior approvals.

We would be pleased to provide any clarification that may be required with respect to the foregoing.

Yours truly,

Weston Consulting Group Inc.

Per:

Alan Young, BES MSC MCIP RPP

Senior Associate

cc. Rita Salini, Lega Holdings Inc.
Ira Kagan, Kagan Shastri LLP
John Zipay, City of Vaughan
Diana Birchall, City of Vaughan
Grant Uyeyama, City of Vaughan
Ryan Mino, City of Vaughan
Pino DiMascio, Urban Strategies
Emily Reisman, Urban Strategies



Applicant(s): Lega Holdings

PLANNING ACT

NOTICE OF THE PASSING OF A ZONING BY-LAW BY THE CORPORATION OF THE CITY OF VAUGHAN

TAKE NOTICE that the Council of The Corporation of the City of Vaughan passed By-law Number 144-2010 on the 8th day of June, 2010, under Section 34 of the Planning Act, R.S.O. 1990, c.P.13.

IF YOU WISH TO APPEAL TO THE ONTARIO MUNICIPAL BOARD:

TAKE NOTICE that any person or agency may appeal to the Ontario Municipal Board in respect of the by-law by filing with the City Clerk of The Corporation of the City of Vaughan **not later than the 5th day of July, 2010**, a notice of appeal setting out the objection to the by-law and the reasons in support of the objection, together with three (3) separate cheques (see *Note below) in the amounts of:

- \$125.00 (certified cheque or money order only) payable to the MINISTER OF FINANCE;
- \$150.00 representing Clerk's Department Administrative processing fee, payable to the CITY OF VAUGHAN; AND
- \$570.00 representing Planning Department's Administrative processing fee, payable to the CITY OF VAUGHAN.

If you wish to appeal to the Ontario Municipal Board (OMB), a copy of an appeal form is available to download in Microsoft Word and Adobe Acrobat from the OMB website at www.omb.gov.on.ca, or by obtaining a copy from the Clerk's Department at the City of Vaughan Civic Centre. A notice of objection filed prior to the enactment of the by-law is not a notice of appeal.

Only individuals, corporations and public bodies may appeal a by-law to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Ontario Municipal Board, there are reasonable grounds to add the person or public body as a party.

An explanation of the purpose and effect of the by-law, describing the lands to which the by-law applies, and a key map showing the location of the lands to which the by-law applies, is enclosed herewith. The complete by-law is available for inspection in the Clerk's Department during regular office hours.

DATED at the City of Vaughan this 15th day of June, 2010.

JEFFREY A. ABRAMS, City Clerk
The Corporation of the City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

*Note:

Council passed and enacted By-law 82-2005 on April 11, 2005 to reflect an additional fee with respect to the Clerk's Department Administrative processing fee of \$150.00 for Ontario Municipal Board Appeal submissions; and Council passed and enacted By-law 89-2006 on March 20, 2006, to reflect an additional fee with respect to the Planning Department Administrative processing fee of \$570.00 for Ontario Municipal Board Appeal submissions.

Effective September 1, 2008, the Ontario Municipal Board will only accept filing the appeal fee payment of \$125.00 by certified cheque or money order.

(BILL 51)

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 144-2010

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 Vaughan Official Plan adopted by Council but 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 A Agricultural Zone to EM2 General Employment Area Zone, EM3 Retail Warehouse Employment Area Zone, C7 Service Commercial Zone and OS1 Open Space Conservation Zone, in the manner shown on Schedule "2".
 - b) Adding the following Paragraph to Section 9.0 "EXCEPTIONS":

"(1340) Notwithstanding the provisions of:

- a) Subsection 2.0 respecting the Definition of a Lot;
- Subsection 5.8 respecting the permitted uses in the C7 Service Commercial
 Zone:
- Subsection 6.1.6 b) respecting landscape strip width requirements for lands
 zoned EM3 Retail Warehouse Employment Area Zone adjacent to an arterial road;
- d) Subsection 6.1.6 d) respecting landscape strip width requirements for lands zoned EM2 General Employment Area Zone and EM3 Retail Warehouse Employment Area Zone adjacent to an OS1 Open Space Zone;
- e) Schedule "A" respecting the zone standards in the C7 Service Commercial Zone:

the following provisions shall apply to the lands shown as "Subject Lands" on Schedule "E-1468":

- ai) for the purpose of zoning conformity including building setbacks and parking, the subject lands shown on Schedule "E-1468" shall be deemed to be one lot, regardless of any future division of said lands;"
- bi) the permitted uses in Subsection 6.5 EM3 Retail Warehouse Employment

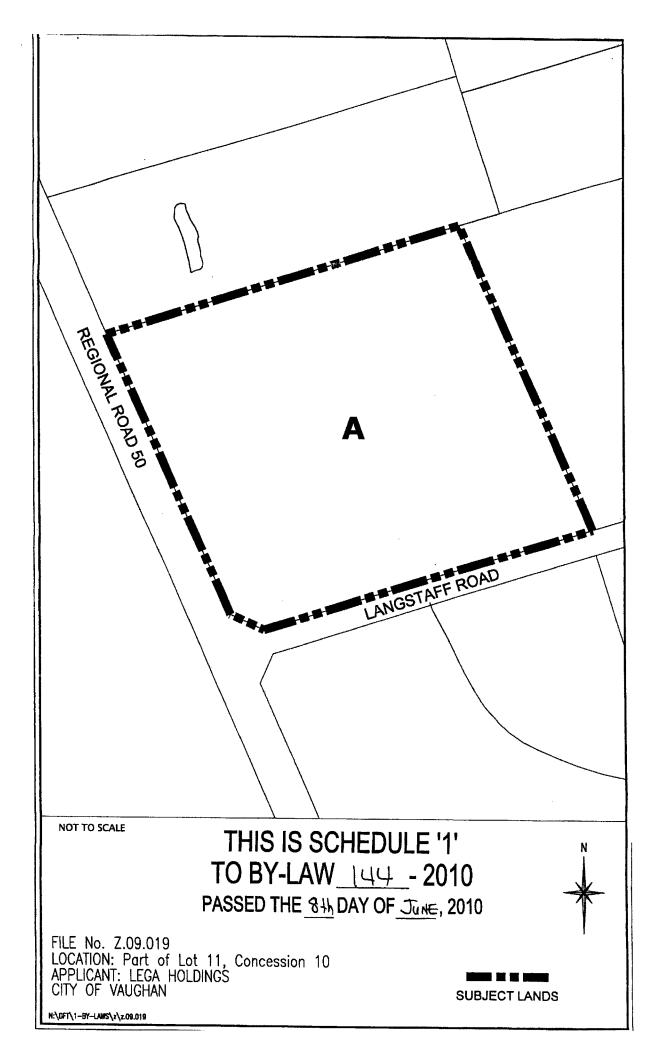
 Area Zone shall also be permitted on lands zoned C7, save and except a

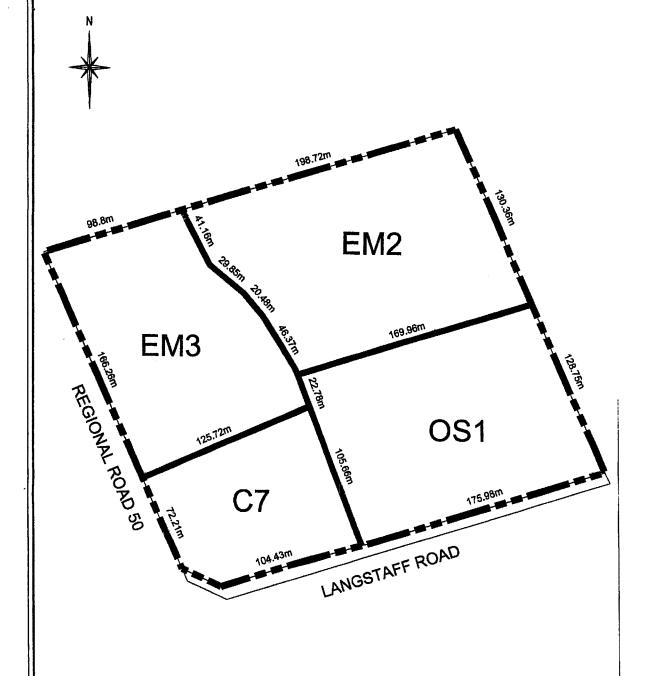
 Swimming Pool, Recreational Vehicles Leasing/Rentai/Sales use;

- ci) the minimum landscape strip width adjacent to Regional Road 50 for lands zoned EM3 Retail Warehouse Employment Area Zone shall be 6.0m, only where a building with windows faces Regional Road 50;
- di) the minimum landscape strip width adjacent to the OS1 Open Space Conservation Zone for lands zoned EM2 General Employment Area Zone and EM3 Retail Warehouse Employment Area Zone shall be 3.0m;
- ei) the minimum front yard setback for lands zoned C7 Service Commercial shall be 6.0m;
- eii) the minimum exterior side yard setback for lands zoned C7 Service Commercial shall be 6.0m;"
- c) Adding Schedule "E-1468" attached hereto as Schedule "2".
- d) Deleting Key Map 10C and substituting therefor the Key Map 10C attached hereto as Schedule "3".
- Schedules "1", "2" and "3" shall be and hereby form part of this By-law.
 READ a FIRST, SECOND and THIRD time and finally passed this 8th day of June, 2010.

"Linda D. Jackson" Linda D. Jackson, Mayor

"Sybil Fernandes"
Sybil Fernandes, Deputy City Clerk





SUBJECT LANDS

THIS IS SCHEDULE 'E -)468 ' TO BY-LAW 1-88, SECTION 9(1346)

NOT TO SCALE

THIS IS SCHEDULE '2' TO BY-LAW 144 - 2010

PASSED THE 81 DAY OF 12010

FILE No. Z.09.019 LOCATION: Part of Lot 11, Concession 10 APPLICANT: LEGA HOLDINGS CITY OF VAUGHAN

N:\DFT\1-8Y-LAW\$\z\z.09.019

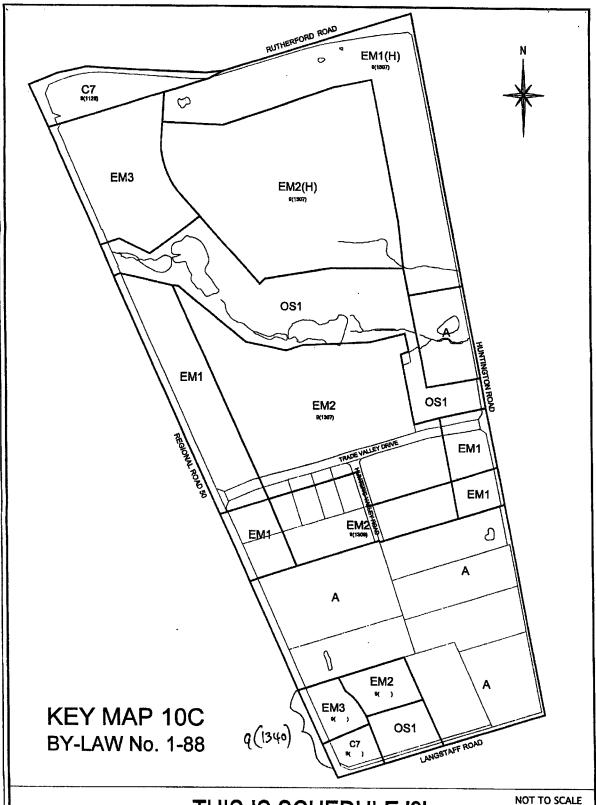
SIGNING OFFICERS

"Linda D. Jackson"

MAYOR "Sybil Fernandes"

DEPUTY CITY

CLERK



THIS IS SCHEDULE '3' TO BY-LAW 144 - 2010

PASSED THE & DAY OF TUNE, 2010

FILE No. Z.09.019 LOCATION: Part of Lot 11, Concession 10 APPLICANT: LEGA HOLDINGS CITY OF VAUGHAN

N:\DFT\1-8Y-LAW5\z\z.08.019



SIGNING OFFICERS

"Linda D. Jackson"

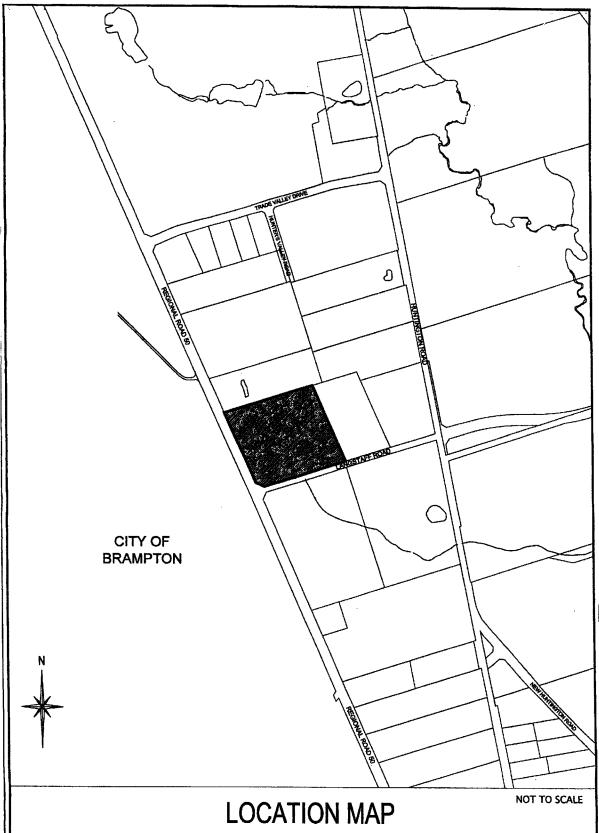
MAYOR "Sybil Fernandes"

DEPUTY CITY CLERK

SUMMARY TO BY-LAW 144-2010

The lands subject to this By-law are located at the northeast corner of Regional Road 50 and Langstaff Road, being Part of Lot 11, Concession 10, City of Vaughan.

The purpose of this by-law is to rezone the subject lands from A Agricultural to EM2 General Employment Area Zone, EM3 Retail Warehouse Employment Area Zone, C7 Service Commercial Zone and OS1 Open Space Conservation Zone with site-specific exceptions for uses and zone standards.



TO BY-LAW 144 - 2010

FILE No. Z.09.019

LOCATION: Part of Lot 11, Concession 10
APPLICANT: LEGA HOLDINGS
CITY OF VAUGHAN

N:\DFT\1-BY-LAWS\z\z.09.019



SUBJECT LANDS



WESTON CONSULTING GROUP INC.

'Land Use Planning Through Experience and Innovation'

September 30, 2010 File No. 4331

Mr. Bryan Tuckey Commissioner of Planning Regional Municipality of York 17250 Yonge Street 4th Floor Newmarket ON L3Y 6Z1

ATTENTION: Augustine Ko

Dear Sir:

Re:

City of Vaughan Official Plan Lega Holdings Inc. ("Lega")

Northeast corner of Highway 50 and Langstaff Road

We are planning consultants to the above company which owns a 7.633 ha parcel at the above location (Block 64).

The new Official Plan of the City of Vaughan designates the subject property as "Prestige Employment", "General Employment" and "Infrastructure and Utilities" (Schedule 13-K). These designations are generally consistent with the previous designations in OPA 450, the Secondary Plan and the approved Block Plan, but the range of commercial uses permitted within the Prestige Employment designation is significantly reduced in the new Official Plan.

Following approval of Lega's rezoning application, Vaughan Council, on June 8, 2010, enacted Bylaw 144-2010 (attached), rezoning Lega's lands in conformity with OPA 450, the Secondary Plan, and the Block Plan.

A site plan application has not been submitted, and accordingly development of the property has not commenced.

In the attached letter dated May 25, 2010, we requested that the new Official Plan recognize approved zoning on parcels such as Lega's. The City did not take any action in this regard. Accordingly, if the Official Plan is approved as submitted, Lega's lands will be vulnerable to a future downzoning when the City amends its Zoning By-law to achieve conformity with the new Official Plan, despite the significant expenses incurred by Lega in securing a rezoning in accordance with the existing Official Plan.

Since 1981

Vaughan Office:

201 Millway Avenue, Unit 19. Vaughan, Ontario, L4K 5K8

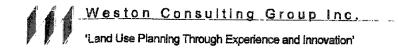
Tel. 905-738-8080

Oakville Office:

1660 North Service Road East. Suite 114,

Oakville, Ontario, L6H 7G3

Tel. 905-844-8749



May 25, 2010 File No. 4331

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

Dear Sir.

Re:

Draft City of Vaughan Official Plan - April 2010

Lega Holdings Inc. ("Lega")

Northeast Corner of Highway 50 and Langstaff Road

File#OP.25.1

On May 18, 2010, Council approved Lega's application to rezone its 7.63-ha parcel at the above location to C7, EM2, EM3 and OS1, all in accordance with the Official Plan (OPA 450) and the approved Block Plan.

We have reviewed the draft, City-wide, comprehensive Official Plan and note that Prestige and General Employment designations are proposed for the Lega lands, consistent with OPA 450, but that the proposed land use policies would significantly reduce the range of commercial uses permitted within the Prestige Employment designation.

We understand that the City intends to proceed expeditiously with a zoning by-law review to implement the new Official Plan following its adoption. Since the draft Official Plan does not contain a general recognition for uses previously approved through a rezoning process, and since there is no site-specific official plan policy proposed for this location, Lega's property would be vulnerable to a City-initiated downzoning that would significantly reduce the range of permitted commercial uses

Lega has expended considerable efforts to achieve a rezoning in conformity with the City's existing policies, and accordingly requests that the new Official Plan contain appropriate provisions to protect its zoning approval. This approach would be consistent with the recently adopted York Region Official Plan which contains policies recognizing prior approvals.



Applicant(s): Lega Holdings

PLANNING ACT

NOTICE OF THE PASSING OF A **ZONING BY-LAW** BY THE CORPORATION OF THE CITY OF VAUGHAN

TAKE NOTICE that the Council of The Corporation of the City of Vaughan passed By-law Number 144-2010 on the 8th day of June, 2010, under Section 34 of the Planning Act, R.S.O. 1990, c.P.13.

IF YOU WISH TO APPEAL TO THE ONTARIO MUNICIPAL BOARD:

TAKE NOTICE that any person or agency may appeal to the Ontario Municipal Board in respect of the by-law by filling with the City Clerk of The Corporation of the City of Vaughan not later than the 5th day of July, 2010, a notice of appeal setting out the objection to the by-law and the reasons in support of the objection, together with three (3) separate cheques (see "Note below) in the amounts

- \$125.00 (certified cheque or money order only) payable to the MINISTER OF FINANCE;
- \$150.00 representing Clerk's Department Administrative processing fee, payable to the CITY OF VAUGHAN: AND
- \$570.00 representing Planning Department's Administrative processing fee, payable to the CITY OF VAUGHAN.

If you wish to appeal to the Ontario Municipal Board (OMB), a copy of an appeal form is available to download in Microsoft Word and Adobe Acrobat from the OMB website at www.cmb.gov.on.ca, or by obtaining a copy from the Clerk's Department at the City of Vaughan Civic Centre. A notice of objection filed prior to the enactment of the by-law is not a notice of appeal.

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No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Ontario Municipal Board, there are reasonable grounds to add the person or public body as a party.

An explanation of the purpose and effect of the by-law, describing the lands to which the by-law applies, and a key map showing the location of the lands to which the by-law applies, is enclosed herewith. The complete by-law is available for inspection in the Clerk's Department during regular office hours.

DATED at the City of Vaughan this 15th day of June, 2010.

JEFFREY A. ABRAMS, City Clerk The Corporation of the City of Vaughan 2141 Major Mackenzie Drive Vaughan, Ontario L6A 1T1

Note:

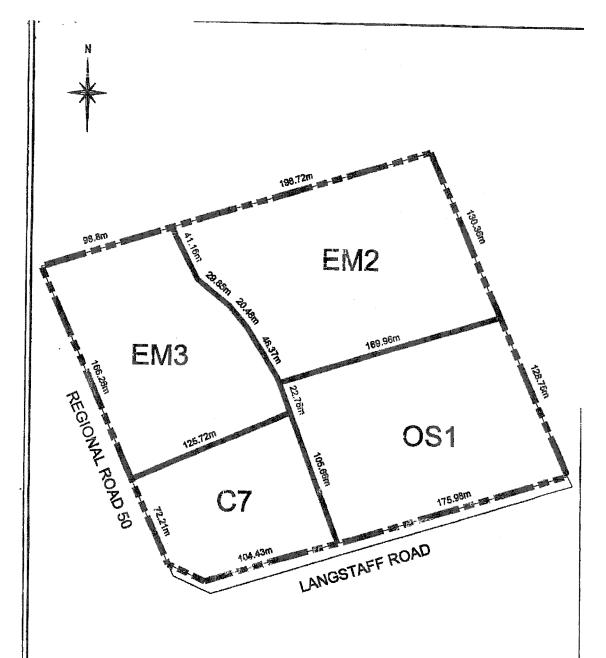
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- di) the minimum landscape atrip width adjacent to the OS1 Open Space Conservation Zone for lands zoned EM2 General Employment Area Zone and EM3 Retail Warehouse Employment Area Zone shall be 3.0m;
- the minimum front yard setback for lands zoned C7 Service Commercial shall be 6.0m;
- eii) the minimum exterior side yard setback for lands zoned C7 Service Commercial shall be 6.0m;*
- c) Adding Schedule "E-1468" attached hereto as Schedule "2".
- d) Deleting Key Map 10C and substituting therefor the Key Map 10C attached hereto as Schedule *3*.
- Schedules "1", "2" and "3" shall be and hereby form part of this By-law.
 READ a FIRST, SECOND and THIRD time and finally passed this 8th day of June, 2010.

"Linda D. Jackson"
Linda D. Jackson, Mayor

"Sybil Fernandes"
Sybil Fernandes, Deputy City Clerk



SUBJECT LANDS

THIS IS SCHEDULE 'E -)468 ' TO BY-LAW 1-88, SECTION 9(1346)

NOT TO SCALE

THIS IS SCHEDULE '2' TO BY-LAW 144 - 2010

PASSED THE 8th DAY OF THE, 2010

FILE No. Z.09.019 LOCATION: Part of Lot 11, Concession 10 APPLICANT: LEGA HOLDINGS CITY OF VAUGHAN

SIGNING OFFICERS

"Linda D. Jackson"

MAYOR "Sybil Fernandes" DEPUTY CITY **CLERK**

M:\DFT\1-8Y-LAWS\2\2.09.018

SUMMARY TO BY-LAW 144-2010

The lands subject to this By-law are located at the northeast corner of Regional Road 50 and Langstaff Road, being Part of Lot 11, Concession 10, City of Vaughan.

The purpose of this by-law is to rezone the subject lands from A Agricultural to EM2 General Employment Area Zone, EM3 Retail Warshouse Employment Area Zone, C7 Service Commercial Zone and OS1 Open Space Conservation Zone with site-specific exceptions for uses and zone standards.

D06.2010.V.01.013 Ko, Augustine

From: Sent:

Cam Milani [cammilani@bellnet.ca] September 30, 2010 11:42 AM

To:

Ko, Augustine

Subject:

RE: City of Vaughan Official Plan

My mailing address is:

11333 Dufferin St. PO Box 663 Maple, ON L6A 1S5

Please email the notice as well as sending it by mail.

Thanks.

Cam Milani Rizmi Holdings Limited

----Original Message----

From: Ko, Augustine [mailto:Augustine.Ko@york.ca]

Sent: September-30-10 11:22 AM

To: cammilani@bellnet.ca

Subject: FW: City of Vaughan Official Plan

Cam,

Thank you for your email requesting notice of decision for the Vaughan Official Plan. Can you please provide me with your mailing address?

Thank you.

Augustine Ko, MCIP, RPP Senior Planner The Regional Municipality of York Planning and Development Services Community Planning Branch 17250 Yonge Street Newmarket, Ontario, L3Y 6Z1

Tel.: 905-830-4444 x.1524

1-877-464-9675 x. 1524Fax.: 905-895-3482

----Original Message----

From: Jeffrey, Barb

Sent: Thursday, September 30, 2010 11:13 AM

To: Ko, Augustine

Subject: FW: City of Vaughan Official Plan

this notice from the City of Vaughan and the email is a request from Cam Milani for notice of decision on the Vaughan OP

Barbara Jeffrey, MCIP, RPP Manager, Land Use Policy and Environment Long Range and Strategic Planning Branch Regional Planning and Development Services Department

Telephone: 905-830-4444 ext 1526 Email: barbara.jeffrey@york.ca

----Original Message----

From: Cam Milani [mailto:cam milani@bellnet.ca]

Sent: Thursday, September 30, 2010 10:23 AM

To: Jeffrey, Barb Cc: Regional Clerk

Subject: City of Vaughan Official Plan

Attached please find a letter we received from the City of Vaughan.

This is our request to the Region of York for Notice as described in that letter on the approval of the City official plan.

Thanks.

Cam Milani Rizmi Holdings Limited

Tony Mauti 133 Anthia Drive Toronto, ON M9L 2T7 (416) 743-2455

Regional Municipality of York Planning Department 17250 Youpe St. 4th Floor Newmarket, ON L3Y 6Z1



Pursuant to the attached letter, this letter serves as a formal request to receive notice of the proposed decision of the approval authority being the Regional Municipality of look. I also respectfully request that you send me any and all other documents and information that I am entitled to at the above address.

Yours very truly, Tony Mauti

AIRD & BERLIS LLP

Barristers and Solicitors

Eileen P. K. Costello Direct: 416.865.4740 E-mail:ecostello@airdberlis.com

September 28, 2010

BY EMAIL

Our File No. 105317

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

Attention:

Bryan Tuckey

Commissioner of Planning

Dear Mr. Tuckey:

Re: Request for Notice of Approval of City of Vaughan Official Plan 2010

Please be advised that Aird & Berlis LLP represents Auto Complex Ltd., owner of the land municipally known as 7200 Yonge Street in the City of Vaughan.

On behalf of our client, please accept this correspondence as a formal request for written notice of any Committee or York Regional Council meetings during which the City of Vaughan Official Plan 2010 ("OP") will be considered, as well as notice of any decision of the Region of York regarding the OP, including the Yonge Steeles Corridor Secondary Plan.

Yours truly,

AIRD & BERLIS LLP

.Eileen P. K. Costello

EPKC/smn

c: Client



I D06.2010.V.01.010
I I Ikagan@ksllp.ca

File: 10111

September 26, 2010

By regular mail

Bryan Tuckey, Planning Commissioner Regional Municipality of York 17250 Yonge Street, 4th Floor Newmarket, Ontario L3Y 6Z1

Dear Mr. Tuckey:

Re: City of Vaughan Official Plan 2010

By-law 235-2010

SE SE

We are the solicitors for the TACC Development and Fieldgate Developments with respect to the lands they own and manage in the City of Vaughan. Kindly send us a copy of the Region's decision (respecting approval and modifications) of the City's Official Plan, as well as notice of any committee or council meetings respecting same. Thank you.

Yours very truly,

Ira T. Kagan

F:\Ikagan\Fieldgate\Block 41 (Vaughan)\Region Sept. 26, 2010.Docx



September 28, 2010

Mr. Bryan Tuckey Commissioner of Planning The Regional Municipality of York 17250 Yonge St. Box 147 Newmarket, ON L3Y 6Z1



Dear Sir:

City of Vaughan Official Plan By-law 235-2010

We are writing on behalf of 1541677 Ontario Inc.. As you can see from our attached letter filed with the City of Vaughan on May 18, 2010, we have concerns with respect to the proposed Official Plan designation on our lands located at the northwest corner of Bathurst St. and North Park Rd, municipally known as 7890 Bathurst St.

Would you kindly provide us with a copy of the Notice of Decision with respect to the City's Official Plan when it is released.

Yours truly,

1541677 Ontario Inc.

Lezlie Phillips

c.c. Mr. Denis Kelly Regional Clerk

Mr. John Zipay



PLEASE REFER TO:
Barry Horosko (Ext: 339)
Email: bhorosko@bratty.com
Assistant: Nathan Muscat (Ext: 263)
Email: nmuscat@bratty.com
Telephone: (905)760-2700

May 18, 2010

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

Attention: Jeffrey A. Abrams, City Clerk

Dear Mr. Abrams:

Re:

City of Vaughan draft Official Plan

1541677 Ontario Inc. File Number OP.25.1

We are the solicitors acting on behalf of 1541677 Ontario Inc. 1541677 Ontario Inc. is the owner of the site at the northwest corner of Bathurst Street and North Park Road municipally known as 7890 Bathurst Street.

Land Use Schedule 13 - T of the City of Vaughan draft Official Plan proposes that the site be designated as Mid-Rise Mixed-Use with a maximum height of 12 storeys and a maximum density of a Floor Space Index of 3.5.

We are writing to express concerns related to this designation. As owners of the property, our clients believe that the height of the site is too restrictive. The height should be increased to allow flexibility in design in achieving a high quality development.

Also, as development managers of the large site to the west of the above referenced site (east of New Westminster Drive and south of Beverley Glen Boulevard), we raise concerns herein that all existing approvals be reflected and carried forward in any approval document.

Please keep us informed as this matter proceeds.

Yours truly,

BRATTY AND PARTNERS, LLP

Barry A. Horosko

ce: 1541677 Ontario Inc.

T 905-760-2600



Suite 1200, Toronto-Dominion Centre Toronto, ON M5J 2Z9 Tel: 416.864.9700 Fax: 416.941.8852 www.foglers.com

Reply To:

Joel D. Farber Direct Dial: 416.365.3707

E-mail:

jfarber@foglers.com

Our File No. 082531

September 24, 2010

VIA MAIL

Regional Municipality of York Planning Department 7250 Yonge Street, 4th Floor Newmarket, ON L3Y 6Z1

Dear Sirs/Mesdames:

HEGION OF YORK landig bedaties

SEP 2 8 2010

Notice of the Adoption of City of Vaughan Official Plan 2010 Re: Request for Notification of the Proposed Decision

We are the lawyers for 2107683 Ontario Ltd., RioCan PS Inc. and SRF Vaughan Property Inc., owners of land on the west side of #27, south of Langstaff Road.

We are writing to request notification of the proposed decision with respect to By-law 235-2010. Please confirm you are in receipt of this letter by reply e-mail to me.

Yours truly,

FOOLER RUBINOFF LLP

Joel D. Farber JDV/cc

Ingrid Beausoleil cc:

Fogler, Rubinoff Ll D06.2010.V.01.007

Suite 1200, Toronto-Dominion Centre Toronto, ON M5J 2Z9 Tel: 416.864.9700 Fax: 416.941.8852

RECION OF YORK

PLANDING OF PARTICIPATION

www.foglers.com

Reply To:

Joel D. Farber

Direct Dial: 416.365.3707 E-mail:

jfarber@foglers.com

Our File No. 09/2991

September 24, 2010

VIA MAIL

Regional Municipality of York Planning Department 17250 Yonge Street, 4th Floor Newmarket, ON L3Y 6Z1

Dear Sirs/Mesdames:

Notice of the Adoption of City of Vaughan Official Plan 2010 Re: **Request for Notification of the Proposed Decision**

We are the lawyers for Riotrin Properties (Vaughan) Inc., owner of the RioCan Colossus Centre at Weston and #7.

We are writing to request notification of the proposed decision with respect to By-law 235-2010. Please confirm you are in receipt of this letter by reply e-mail to me.

Yours truly,

ER, RUBINOFF LLP

Voel D. Farber

DF/cc

Stefan Wisnowski

K:\JFarber\WpData\Riotrin\COLOSSUS-Vaughan-092991\Letters\Approval Authority-Sept 24-10.doc



FEGION OF YORK
PLANSING SEPARTMENT
SEP 2 9 2010
AM.

September 24, 2010

Mr. Bryan Tuckey Commissioner of Planning The Regional Municipality of York 17250 Yonge St. Box 147 Newmarket, ON L3Y 6Z1

Dear Sir:

City of Vaughan Official Plan By-law 235-2010

We are writing on behalf of 2159645 Ontario Inc. As you can see from our attached letter filed with the City of Vaughan on May 14, 2010, we have concerns with respect to parkland dedication requirements contained in the approved Official Plan.

Would you kindly provide us with a copy of the Notice of Decision with respect to the City's Official Plan when it is released.

Yours truly,

2159645 Ontario Inc.

Lezlie Phillips

c.c. Mr. Densi Kelly Regional Clerk

Mr. John Zipay



PLEASE REFER TO: Barry Horosko (Ext: 339) Email: bhorosko@bratty.com Assistant: Nathan Muscat (Ext: 263) Email: nmuscat@bratty.com Telephone: (905)760-2700

May 14, 2010

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

Attention:

Jeffrey A. Abrams

City Clerk

Dear Mr. Abrams:

Re:

City of Vaughan Parkland Policies

Draft Official Plan Statutory Public Meeting of May 17, 2010

File Number OP.25.1

We act as legal counsel to 2159645 Ontario Inc. c/o Liberty Development Corporation with respect to the above referenced matter.

We have been requested to express concerns that the parkland dedication requirements contained in the Official Plan operate to discourage higher density residential units. The Growth Plan for the Greater Golden Horseshoe and the draft Vaughan Official Plan appear to encourage increased densities. This is ironically in conflict with the Vaughan parkland requirement of one (1) hectare of land for every 300 residential units.

For example, a development at five (5) times density generates a parkland requirement in excess of the original size of the development parcel. This parkland policy can result in an absurd result and deserves more analysis. It is our submission that a more balanced approach should be provided in the new draft Official Plan with respect to overall parkland dedication requirements.

Yours truly,

BRATTY AND PARTNERS, LLP

Barry A. Horosko

cc:

Peter Weston

Liberty Development Corporation

AIRD & BERLIS LLP

Barristers and Solicitors

Steven A. Zakem
Direct: 416.865.3440
E-mail:szakem@airdberlis.com

September 23, 2010

VIA MAIL

Mr. Jeffrey A. Abrams
City Clerk
The Regional Municipality of York
Planning Department
17250 Yonge Street, 4th Floor
Newmarket, ON L3Y 6Z1



Our File #91037

REGION TO NORK CLERK'S OFFICE

FILE No. - PIT

7. A. Ko . H. Konefat

Dear Mr. Abrams:

Re: Notice of Adoption of City of Vaughan Official Plan 2010

Would you kindly provide the undersigned with notice of the Decision of the Regional Municipality of York with respect to the above-noted Official Plan.

Yours truly,

AIRD & BERLIS LLP

SAZ/sw

Steven A. Zaker

6990910.1

Goodmans

333 Bay Street, Suite 3400 Toronto, Ontario M5H 2S7

Telephone: 416.979.2211 Facsimile: 416.979.1234

goodmans.ca

Direct Line: 416.849.6001 cbowman@goodmans.ca

September 22, 2010

Our File No.: 10.1333

By Courier and Email (email address: regionalclerk@york.ca)

Dennis Kelly, Regional Clerk Corporate Services Department York Region Administration Building 17250 Yonge Street, 4th Floor Newmarket, ON L3Y 6Z1

Dear Mr. Kelly:

Re: Request for Notice of Decision City of Vaughan Official Plan 2010

Conly 12

We are solicitors for Wal-Mart Canada Corp. in respect of the above-noted matter. On behalf of our client, please notify us of any decision made by the Regional Municipality of York in respect of the City of Vaughan's new Official Plan.

Thank you.

Yours very truly,

GOODMANS LLP

Per-

Carly Bowman

Planner CYB/cyb

\5889207

Goodmans

Toronto, Ontario M5H 2S7

Telephone: 416.979.2211 Facsimile: 416.979.1234

goodmans.ca

Direct Line: 416.849.6001 cbowman@goodmans.ca

September 22, 2010

Our File No.: 10.1333

By Courier and Email (email address: regionalclerk@york.ca)

Dennis Kelly, Regional Clerk Corporate Services Department York Region Administration Building 17250 Yonge Street, 4th Floor Newmarket, ON L3Y 6Z1

Dear Mr. Kelly:

Re: Request for Notice of Decision

City of Vaughan Official Plan 2010

We are solicitors for Costco Wholesale Canada Limited in respect of the above-noted matter. On behalf of our client, please notify us of any decision made by the Regional Municipality of York in respect of the City of Vaughan's new Official Plan.

Thank you,

Yours very truly,

GOODMANS LLP

Per:

Carly Bowman

Planner CYB/cyb

\5889212



September 21, 2010

Delivered via E-mail

The Regional Municipality of York Planning and Development Services Community Planning Branch 17250 Yonge Street Newmarket ON L3Y 6Z1

Attention: Mr. Augustine Ko, MCIP, RPP, Senior Planner

Dear Sir:

RE: City of Vaughan Official Plan Volumes 1 and 2

Schickedanz Bros. Limited 10980 Kipling Avenue SCI File No. 1004

I am writing on behalf of my clients, Schickedanz Bros. Limited (SBL), registered owners of approximately 111.30 ha (275 acres) of land located at the north west corner of Kipling Avenue and Teston Road, in the City of Vaughan.

We have been advised by the City Clerk that the City's new Official Plan (Volume 1) and Secondary Plans (Volume 2) have been adopted by City Council on September 7, 2010.

As the approval authority for the City of Vaughan Official Plan & Secondary Plans we respectfully request copies of any staff reports pertaining to the subject documents; and, to be advised of the Region's decision with respect to this matter so that our client can, if necessary, appeal to the Ontario Municipal Board.

Yours truly,

SCIBERRAS CONSULTING INC.

« original signed »

Angela Sciberras MCIP, RPP Principal

Cc: Denis Kelly, Regional Clerk

Hugh Macklin, Schickedanz Bros. Limited Ronald K. Webb, Q.C., Davis Webb LLP



One Dundas Street West, Suite 2000, Toronto, ON M5G 2L5 1, rue Dundas Ouest, bureau 2000, Toronto, ON M5G 2L5

June 30, 2011

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

Dear Ms. Konefat.

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

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

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

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

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

The Keele/407 lands are designated as Parkway Belt West in VOP2010 on both the Urban Structure Map (Schedule 1) and the Land Use Map (Schedules 13 and 13-s) see attachment. Areas identified as 'Parkway Belt West' shall conform to the Parkway Belt West Plan land use and policies as VOP2010 recognizes that these lands are primarily reserved by the Province as 'Provincial Infrastructure and Complimentary Uses', as intended by the Parkway Belt West plan.

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

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

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

Yours truly,

Jordan Erasmus, MCIP, RPP

)ordan Eramus

Planner

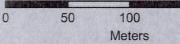
c.(email)

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





D65545_red parcel.mxd
June 28, 2011 © Queen's Printer for Ontario 2011
For illustrative purposes only.
*Areas and Limits to be confirmed by survey.

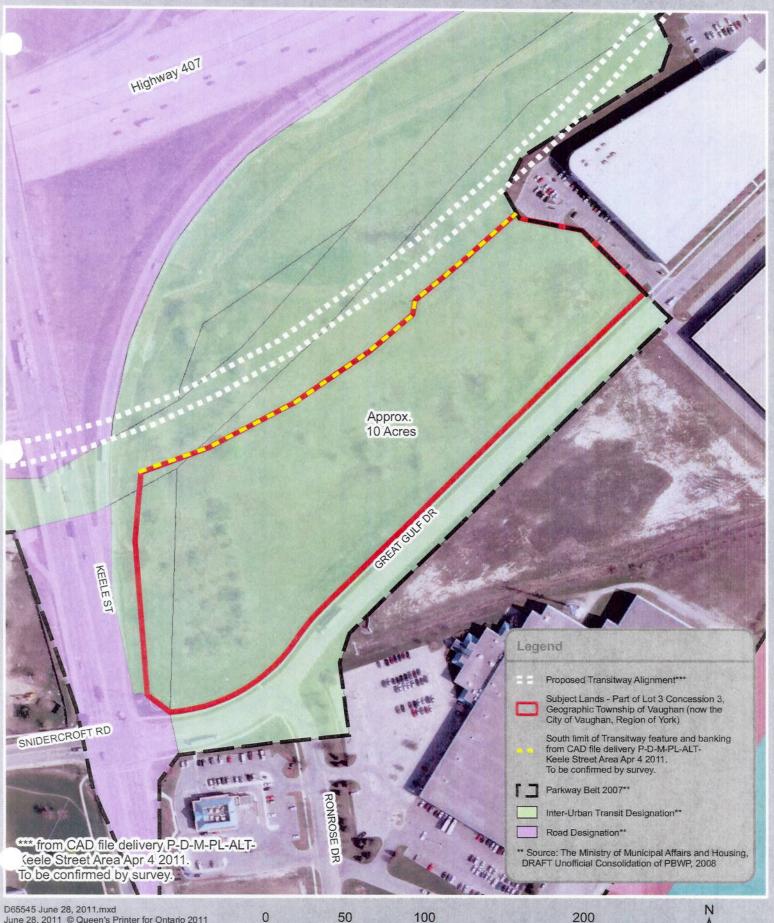




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Map 2: Subject Property with Parkway Belt West Plan overlay and 407 Transitway alignment





June 28, 2011 © Queen's Printer for Ontario 2011 For illustrative purposes only. *Areas and Limits to be confirmed by survey.

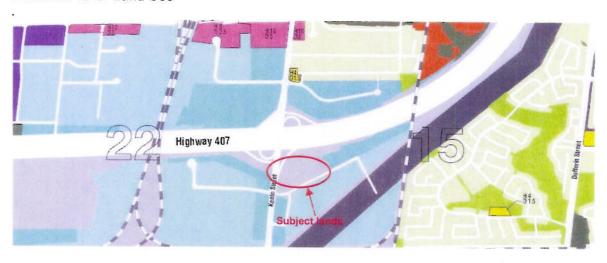
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City of Vaughan Official Plan (Adopted)

Schedule 13-S: Land Use





Ko, Augustine

From:

Erasmus, Jordan (IO) [Jordan.Erasmus@infrastructureontario.ca]

Sent:

June 30, 2011 11:41 AM

To:

Konefat, Heather

Cc:

Ko, Augustine; Waller, John; Napoli, Christina; Uyeyama, Grant; Emily Reisman; Warson,

Jeremy (IO)

Subject:

Requested Modification to Vaughan Official Plan 2010

Attachments: IO Modification Request Letter - Keele 407 lands - June 2011.pdf

Good morning Heather,

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

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

Best regards, Jordan

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

Tel: 416.327.8018 | Fax: 416.212.1131

E-mail: Jordan.Erasmus@infrastructureontario.ca

www.infrastructureontario.ca



Date: March 24, 2011

To: Eugene Fera City of Vaughan Planning Department

From: Kregg Fordyce, Architect

Re: **Duca Condominium 5367 Hwy. 7, Vaughan, ON**

Dear Eugene,

Regarding the City of Vaughan Council meeting that took place on September 7th, 2010.

My client, John Duca, the owner of the property at 5309 Highway # 7 Woodbridge ON, L4L 1T4 through this letter is officially stating his objection to the reduction in height from 10 storeys to 6 stories and the reduction in density from 2.5 fsi to 2.0 fsi as was proposed and adopted by the City of Vaughan Council at the September 7th, 2010 meeting. See excerpt from the council meeting minutes below:

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 7, 2010

Item 1, Report No. 39, of the Special Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on September 7, 2010, as follows:

By approving that Section 10.1.1.12 on page 286 of Volume 1 under the Heading of "Timing of Secondary Plans", be deleted;

By approving the following:

WHEREAS Metrolinx and York Region Transit have funded road widening for Rapid Transit on Highway 7 from Vaughan Corporate Centre to Weston Road in Phase I from Weston Road to Helen Street in Phase II; and

WHEREAS no funding or plans have been provided to widen Highway 7 to accommodate Rapid Transit from Helen Street to Martin Grove Road, Woodbridge; and

WHEREAS this area is already congested since the road reduces from seven lanes to four lanes, between Helen Street and Woodstream Boulevard, Woodbridge; and

WHEREAS this section also provides a major challenge in its widening to cross the Humber River and the railway tracks west of the Humber River; and

WHEREAS the Official Plan 661 designates this area as a mid rise development with a permitted building height of ten stories and FSI of 3.0;

BE IT THEREFORE RESOLVED THAT:

THE SECTION OF ROAD BETWEEN BRUCE STREET AND WOODSTREAM BOULEVARD, ALONG THE NORTH AND SOUTH SIDE OF HIGHWAY 7, WOODBRIDGE, BE AMENDED TO PERMIT A MAXIMUM BUILDING HEIGHT OF SIX STORIES AND FSI (FLOOR SPACE INDEX) OF 2.0;

If you have any questions or concerns regarding this letter please do not hesitate to contact me.

Regards,

Kregg Fordyce, Architect BES, MArch, OAA, RPP, OPPI



Macri, Lori

Page I of 3

Jan 18/11 Deleted e-mail

From:

pbustard@smartcentres.com

Sent:

Wednesday, September 01, 2010 12:18 PM

To:

Birchall, Diana; Uveyama, Grant; Zipay, John; Peverini, Mauro

Cc:

mbissett@bousfields.ca

Subject:

Re: Fw: Draft Modifications to OPA 713

Attachments: Modifications Schedule 1 revised2.doc; 2008 2010 Fee By-law.pdf

Diana,

Further to my previous email there are also various new policies that have been added which were not included in the original OPA 713. The staff report clearly states that the changes should have no impact on the effect or purpose of the plan. This OPA was meticulously negotiated and agreed to by all parties and the changes do not reflect the negotiated agreement. In particular policy 12.7.4.7 was never agreed to and was not part of the approved OPA 713. As such this needs to be deleted. Furthermore it is inconsistent with the approved zoning by-law for the site. We never agreed, nor our we able to provide primary entrance along Major Mackenzie and Cityview Blvd. This issue was negotiated as part of the overall design and in its place we agreed to the pedestrian promenade.

Other policies which extend beyond what was approved in OPA 713 are:

- 12.7.4.7 (as previous discussed)
- 12.7.5.7
- 12.7.6.2
- 12.7.6.11 (the bylaw specifies which entrances will be primary on the promenade)

I will be sending you a complete list of issues shortly.

Thanks, Paula

SmartCentres

Paula Bustard M.PL. | Director Land Development | Phone: 905-760-6200 ext. 7266 | Fax: 905-760-6202 | Cell: 416 949-1377 [700 Applewood Cres., Suite 100, Vaughan, Ontario, L4K 5X3]

This message is intended for the addressee. It may contain privileged or confidential information. Any unauthorized disclosure is strictly prohibited. If you have received this message in error, please notify us immediately so that we may correct our internal records. Please then delete the original message. Thank you.

Please consider the environment before printing this e-mail



S.V.P. considerez l'environnement avant d'imprimer ce courriel

Paula Bustard/SmartCentres

To diana.birchall@vaughan.ca

09/01/2010 11:53 AM

cc john.zipay@vaughan.ca, grant.uyeyama@vaughan.ca, MAURO.PEVERINI@vaughan.ca Subject Fw: Draft Modifications to OPA 713

Hi Diana,

1/18/2011

Further to my voicemail, the volume 2 site specific polices for our Weston and Major Mackenzie site are not correct. There were changes made by the Region which were not included in the new plan as shown in the staff report. A couple of these changes were errors that were made in the maximum GFA. These errors were acknowledged by Vaughan and the Region made the required changes. I have attached the modifications below. Furthermore, the mapping is incorrect as the Village District and Commercial District are switched. Lastly, the map shows a gateway feature on our northeast boundary of the site. This is behind some of our buildings and the intent was always to make a gateway feature midblock along Weston Road as this is the primary signalized access.

Can you please let me know when these changes have been made. I appreciate your assistance in this matter.

Thanks, Paula

SmartCentres

Paula Bustard M.PL. | Director Land Development | Phone: 905-760-6200 ext. 7266 | Fax: 905-760-6202 | Cell: 416 949-1377 [700 Applewood Cres., Suite 100, Vaughan, Ontario, L4K 5X3]

This message is intended for the addressee. It may contain privileged or confidential information. Any unauthorized disclosure is strictly prohibited. If you have received this message in error, please notify us immediately so that we may correct our internal records. Please then delete the original message. Thank you.

Please consider the environment before printing this e-mail



S.V.P. considerez l'environnement avant d'imprimer ce courriel

---- Forwarded by Paula Bustard/SmartCentres on 09/01/2010 11:45 AM -----

"Mallette, Michael" < Michael. Mallette@york.ca>

05/14/2010 11:48 AM

To <pbustard@smartcentres.com>

C

Subject Draft Modifications to OPA 713

Hi Paula,

As per our telephone conversation this morning, attached are the draft modifications for OPA 713. I will be sending out the Notice of Decision later this afternoon.

Also attached is our fee by-law, in which you'll find the required fee in Row 5 of Schedule "A". The amount is \$2260.

Give me a call or respond to this email if you have any questions.

Mike Mallette

This email has been scanned by the MessageLabs Email Security System.

This email has been scanned by the MessageLabs Email Security System. For more information please visit http://www.messagelabs.com/email

Attachment 1

City of Vaughan Official Plan Amendment No. 713

MODIFICATIONS

1. Modify Section I – PURPOSE by deleting the second paragraph and replacing it with the following paragraph:

"The subject Amendment is to facilitate a retail commercial development proposing a total gross floor area (GFA) of 52,810 m2 for the lands shown as "Area Subject to Amendment No. 713" on Schedule "1" attached hereto in accordance with the following:"

- 2. Modify Section I. G) 2) by deleting the words "shown on Attachment #2" so that the section reads as follows:
 - "G) 2) "the determination of the future land uses, including the disposition of the road network respecting the southerly extension of Zachary Place and the disposition of the north/south traversing 9 m pedestrian walkway, and transition between the zoned residential land for Plan of Subdivision 19T-00V03 (Lormel Developments [Weston] Inc. and Ozner Corporation [South]) and the retail commercial uses proposed for the subject lands;"
- 3. Modify Section II LOCATION by adding the word "and" before the word "are" in the first sentence and by replacing the word "intersection" with the word "corner" in the second sentence and placing a period at the end of the sentence so that the paragraph reads as follows:
 - "The lands subject to this Amendment, hereinafter referred to as the "Subject Lands", comprise approximately 19.19 ha, and are shown on Schedules "1", "2", "3" and "4", attached hereto, as "Area Subject to Amendment No. 713". The Subject Lands are located at the north-east corner of Weston Road and Major Mackenzie Dr."
- 4. Modify Section IV 2. by replacing the letter "B" after the word "Schedule" with the letter "A", by deleting one of the quotation marks before the word "Medium", and deleting the semi-colon after the words "District Centre Commercial" so that the section reads as follows:

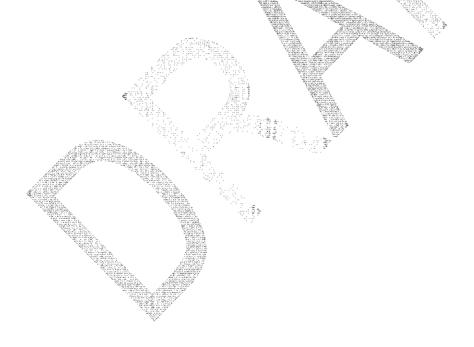
- "2. Deleting Schedule "A" to OPA #650, as amended, and substituting therefor Schedule "A" attached hereto as Schedule "3", thereby redesignating the Subject Lands shown as "Area Subject to Amendment No. 713" on Schedule "1", attached hereto, from "Low-Rise Residential" and "Medium Density Residential/Commercial" with the "9 m Pedestrian Walkway" to "District Centre Commercial" with the "Pedestrian Only Promenade", "Urban Square" and "Greenway System" overlay designations;"
- 5. Modify Section IV 3. by replacing the number "5" after the word "Schedule" with the number "4" so that the first sentence reads as follows:
 - "3. Deleting "Appendix A Commercial Space, Housing Units, Employment and Population Estimates" to OPA #650, and substituting therefor "Appendix A Commercial Space, Housing Units, Employment and Population Estimates", attached hereto as Schedule "4" to indicate the following:"
- 6. Modify Section IV 3. i) by replacing the words "North-east Quadrant" in each bullet point with the words "combined Quadrants".
- 7. Modify Section IV 3. ii) by replacing the words "North-east Quadrant" in each bullet point with the words "combined Quadrants" and by replacing the words "Village Core" designation" with the words ""Village Core" and "District Centre Commercial" designations".
- 8. Modify Section IV 3. ii) by replacing the numbers "2170" and "2500" to "1840" and "2170" respectively under the third bullet so that the third bullet section reads as follows:
 - "increasing the number of employees in the "Village Core" and "District Centre Commercial" designations from up to 460 employees to up to 790 employees resulting in an increase of 330 employees for a revised Total number of employees for the combined Quadrants from up to 1840 employees to up to 2170 employees;"
- 9. Modify Section IV 3. ii) by inserting the word "to" after the word "devoted" under the sixth bullet so that the sixth bullet section reads as follows:
 - decreasing the area of land devoted to parkland within the "Village Core" and "District Centre Commercial" designations from 0.4 ha to 0 ha resulting in an decrease of 0.4 ha for a revised Total parkland for the combined Quadrants from 1.2 ha to 0.8 ha;

- 10. Modify Section IV 4. by deleting the paragraph in its entirety and replacing it with the following paragraph:
 - "4. Adding the following to Sub-section 3.2.5 of OPA 650, Parks, after paragraph j):

 (OPA #713)
 - k) Pursuant to the Planning Act, the Owner shall convey parkland consisting of approximately 0.137 ha located at the most north-easterly boundary of the Subject Lands, shown as "Neighbourhood Park" on Schedule "1" to OPA #713. Further, the Owner shall pay cash-in-lieu of parkland dedication for the remaining parkland requirement at 2% of the value of the lands in accordance with Section 42 of the Planning Act prior to the issuance of a Building Permit (OPA #713)"
- 11. Modify Section IV 5. by inserting the words "In OPA #650," at the beginning of the section so that the beginning of the section reads as follows:
 - "5. In OPA #650, adding the following after Sub-section 3.2.7, Library:"
- 12. Modify Section IV 5. by deleting Section 3.2.8.2 a) in its entirety and replacing it with the following Section 3.2.8.2 a):
 - "3.2.8.2 a) The Village Core area shall be the location of the most compact development form within the Amendment Area. The Village Core shall be an area of mixed-use retail commercial and office development, combining high order retail uses and eating establishments. The focus of the retail/office development within the Village Core shall be to a "Village Core Promenade"; a pedestrian oriented promenade consisting of a walkable main street shopping and social area linked by a series of urban squares. Residential uses, appropriately integrated into the Village Core area, are also permitted."
- 13. Modify Section IV 5. by replacing the words "mid-to-small" with the word "small" in Section 3.2.8.4 a) so that Section 3.2.8.4 a) reads as follows:
 - "3.2.8.4 a) The District Centre Commercial area is intended to be primarily larger scale retail commercial development located away from Weston Road and Major Mackenzie Drive and small scale development located closer to Weston Road and Major Mackenzie Drive."

- 14. Modify Section IV 5. by replacing the number "5,500" with the number "24,810" in Section 3.2.8.4 c) so that Section 3.2.8.4 c) reads as follows:
 - "3.2.8.4 c) The lands within the District Centre Commercial area may accommodate development up to a maximum Gross Floor Area (GFA) of 24,810 m2 east of Vellore Park Avenue (extension) and up to a maximum GFA of 11,000 m2 west of Vellore Park Avenue (extension)."
- 15. Modify Section IV 6. by adding the words "Policies that shall require commercial" before the word "Development" in Section 4.5 b) i) so that the Section reads as follows:
 - "4.5 b) i) Policies that shall require commercial development to be in accordance with a comprehensive design scheme to be approved by the City, laying out the general orientation, configuration, massing and scale of major buildings and structures, and parking areas, together with access points, traffic circulation, pedestrian circulation, landscaping and buffering;"
- 16. Modify Section IV 6. by adding the following Sub-section 4 after Sub-section 3 in Section 4.5.1. c) i):
 - "4.5.1 c) i) 4. York Region is protecting for a 45 metre right-of-way on Major Mackenzie Drive and a 43 metre right-of-way on Weston Road through this area. All municipal setbacks shall be referenced from a point 22.5 metres and 21.5 metres from the centreline of construction of Major Mackenzie Drive and Weston Road, respectively."
- 17. Modify Section IV 6. by replacing Section 4.5.1. c) ii) 1. with the following Section 4.5.1. c) ii) 1.:
 - "4.5.1 c) ii) 1. The Village Core Promenade shall reflect its role and function to provide vehicular and transit vehicle access as well as a high level of pedestrian and cycling amenity."
- 18. Modify Section IV 6. by replacing Section 4.5.2. c) i) 1. with the following Section 4.5.2. c) i) 1.:
 - "4.5.2 c) i) 1. Vellore Park Avenue and Cityview Boulevard shall provide vehicular and transit vehicle access, as well as a high level of pedestrian and cycling amenity at the entrances to the District Centre."

- 19. Modify Section IV 6. by adding the word "shall" after the word "objectives" in Section 4.6 a) so that Section 4.6 a) reads as follows:
 - "4.6 a) Sustainable community objectives shall be implemented through neighbourhood designs that supports cycling and walking, ensures neighbourhood connectivity to the broader community, and provides transit opportunities, water and energy efficiencies, energy alternatives and green building design and site development. (OPA #713)"
- 20. Modify Section IV 9. by adding the words ", close to building entrances" after the words "activity areas" in Section 6.4.1. b) so that the section reads as follows:
 - "6.4.1 b) An adequate supply of secure bicycle parking shall be provided near transit stops, in high activity areas, close to building entrances, and open space areas."
- 21. Replace Schedule "4" with Schedule "4" attached hereto.



THE REGIONAL MUNICIPALITY OF YORK

BILL NO. 94

BY-LAW NO. A-0393-2007-091

A By-law to prescribe fees for processing planning applications

WHEREAS Section 69 of the Planning Act, R.S.O. 1990, c. P.13, as amended, (the "Act"), provides that the council of a municipality may by by-law establish a tariff of fees for the processing of applications made in respect of planning matters;

AND WHEREAS it is deemed expedient to establish a tariff of fees to help defray the anticipated cost of the processing of applications made in respect of planning matters;

NOW THEREFORE, the Council of The Regional Municipality of York hereby enacts as follows:

- 1. Every person who makes an application of a type listed in Column 1 of Schedule "A" during the calendar years commencing February 1, 2008, February 1, 2009 and February 1, 2010, shall pay the fee set out opposite such application in Columns 2, 3 and 4 respectively.
- 2. The fees listed in Schedule "A" shall be payable at the time of making the application, or as otherwise provided in the by-law.
- 3. Schedule "A" hereto shall form part of this by-law.
- 4. This by-law shall take effect on February 1, 2008.

ENACTED AND PASSED this 13th day of December, 2007.

Denis Kelly
Regional Clerk
Regional Chair

Authorized by Clause 5, Report 10 of the Planning and Economic Development Committee, adopted by Regional Council at its meeting on December 13, 2007.

Schedule "A"

Column 1		Column 2	Column 3	Column 4
	DESCRIPTION OF APPLICATION	February 1, 2008 Rate	February 1, 2009 Rate	February 1, 2010 Rate
1.	For a Regional Official Plan Amendment	\$12,525	\$12,900	\$13,285
2.	For Notice of a Public Meeting for a Regional Official Plan Amendment	\$8,000 or actual cost	\$8,000 or actual cost	\$8,000 or actual cost
3.	For Notice of Receipt of an Application to Amend the Regional Official Plan	\$8,000 or actual cost	\$8,000 or actual cost	\$8,000 or actual cost
4.	For Regional approval of a major area municipal Official Plan Amendment, but shall exclude amendments initiated by the area municipality for policy changes or clarifications to the Official Plan	\$7,710	\$7,940	\$8,180
5.	For Regional approval of an area municipal Official Plan Amendment that does not require circulation to external agencies or a report to Regional Council, but shall exclude amendments initiated by the area municipality for policy changes or clarifications to the Official Plan	\$2,130	\$2,195	\$2,260
6.	For comment to an area municipality on a request for exemption from Regional approval of a locally significant Official Plan Amendment	\$2,070	\$2,130	\$2,195
7.	For Regional approval of a second and subsequent phase of a plan of subdivision where approval of a final plan is phased	\$1,005	\$1,035	\$1,065
8.	To review an application to an area municipality for approval of a draft plan of subdivision	\$2,405	\$2,475	\$2,550
9.	To review a revised application to an area municipality for approval of a draft plan of subdivision	\$1,300	\$1,340	\$1,380
10.	To review an application to an area municipality to change the conditions of approval of a draft plan of subdivision	\$1,085	\$1,120	\$1,155
11.	For clearing Regional conditions for second and subsequent phases of a plan of subdivision	\$935	\$965	\$995
12.	To review an application to an area municipality for approval of a draft plan of condominium	\$1,440	\$1,485	\$1,530
13.	To review a revised application to an area municipality for approval of a draft plan of condominium	\$1,110	\$1,145	\$1,180
14.	To prepare a record in the event of a referral or appeal of an application to the Ontario Municipal Board	\$430	\$440	\$455
15.	For the preparation of a Regional Development Charge Agreement, payable prior to the execution of the agreement by the Regional Corporation	\$1,110	\$1,145	\$1,180

Bochan, Eugene

From: Rossi, Melissa

Sent: Monday, March 14, 2011 4:05 PM

To: lacobelli, Tony

Cc: Chong, Clement; Macri, Lori

Subject: FW: NVOP 2010 (Secondary Plans) Correspondence from Curve Lake First Nation

Hi Tony,

Are you aware if the Curve Lake First Nation was circulated the Secondary Plans?

Melissa Rossi, MES (Pl)

Policy Planner, Policy Planning & Urban Design

City of Vaughan, 2141 Major Mackenzie Drive

Vaughan ON L6A 1T1

Email: Melissa.Rossi@Vaughan.ca

www.vaughantomorrow.ca

----Original Message----

From: Palermo, Angela

Sent: Monday, March 14, 2011 4:02 PM

To: Rossi, Melissa Cc: Archer, Lauren

Subject: FW: NVOP 2010 (Secondary Plans) Correspondence from Curve Lake First Nation

Hi Melissa: See Lauren's review of the letter below.

Location Address: 2141 Major Mackenzie Drive, Vaughan, ON, L6A 1T1

----Original Message----

From: Archer, Lauren

Sent: March 14, 2011 1:58 PM

To: Palermo, Angela

Subject: RE: NVOP 2010 (Secondary Plans) Correspondence from Curve Lake First Nation

This appears to be a form letter, expressing an interest in the Secondary Plans public consultation process.

My interpretation:

- The City of Vaughan, in general, falls within the traditional territory of all of the Williams Treaty First Nations, including the Curve Lake First Nation.
- -The Curve Lake First Nation have requested that we send a copy of the Secondary Plans for review by the Williams Treaty First Nations Claims Coordinator.
- The Curve Lake First Nation knows of no specific concerns with the proposed OP Secondary Plans at this time.
- -However, the Curve Lake First Nation request that they be contacted immediately in the event that any human remains or significant archaeological remains are encountered during

the implementation of the Official Plan - Secondary Plans.

I can find out contact information for Karry Sandy-Mackenzie, and we can either send a copy of the Secondary Plans, or provide a link to the Vaughan Tomorrow website.

Lauren Archer

Cultural Heritage Coordinator Cultural Services Division 10401 Dufferin Street, Vaughan 905-832-8585 x3123 lauren.archer@vaughan.ca

----Original Message----From: Palermo, Angela

Sent: March 11, 2011 12:01 PM

To: Archer, Lauren

Subject: FW: NVOP 2010 (Secondary Plans) Correspondance from Curve Lake First Nation

Importance: High

Lauren if you could figure out this mystery

ANGELA PALERMO | Manager of Cultural Services City of Vaughan | Recreation and Culture Department t: 905.832.2281 ext 8139 | f: 905.832-8550 e: angela.palermo@vaughan.ca

Location Address: 2141 Major Mackenzie Drive, Vaughan, ON, L6A 1T1

----Original Message----

From: Rossi, Melissa

Sent: March 11, 2011 9:26 AM

To: Palermo, Angela; Archer, Lauren

Cc: Birchall, Diana; Iacobelli, Tony; Chong, Clement

Subject: FW: NVOP 2010 (Secondary Plans) Correspondance from Curve Lake First Nation

Importance: High

Good Morning,

Please see letter attached from Chief Knott from Curve Lake First Nation. Any idea what lands are being referred?

Please advise.

Thanks, Melissa

Melissa Rossi, MES (Pl)

Policy Planner, Policy Planning & Urban Design

City of Vaughan, 2141 Major Mackenzie Drive

Vaughan ON L6A 1T1

Email: Melissa.Rossi@Vaughan.ca

www.vaughantomorrow.ca

----Original Message----

From: Macri, Lori

Sent: Thursday, March 10, 2011 5:41 PM
To: Iacobelli, Tony; Rossi, Melissa

Subject: NVOP 2010 (Secondary Plans) Correspondance from Curve Lake First Nation

Importance: High

Hi Melissa/Tony:

Diana has asked me to forward the attached letter from Chief Knott from Curve Lake First Nation. Thanks.

----Original Message----

From: sharp-policyplanning@vgn.cty [mailto:sharp-policyplanning@vgn.cty] On Behalf Of

sharp-policyplanning@

Sent: Thursday, March 10, 2011 5:38 PM

To: Macri, Lori

Subject: Scanned image from Policy Planning Department Copier

Reply to: sharp-policyplanning@vqn.cty <sharp-policyplanning@vqn.cty>

Device Name: Policy Planning Department Copier

Device Model: MX-2700N

Location: City of Vaughan - 2141 Major Mackenzie Dr

File Format: PDF MMR(G4)
Resolution: 200dpi x 200dpi

Attached file is scanned image in PDF format.

Use Acrobat(R)Reader4.0 or later version, or Adobe(R)Reader(TM) of Adobe Systems Incorporated to view the document.

Acrobat(R)Reader4.0 or later version, or Adobe(R)Reader(TM) can be downloaded from the following URL:

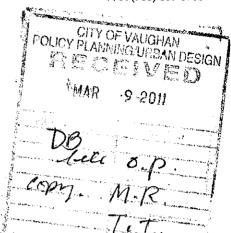
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GOVERNMENT SERVICES BUILDING AND CULTURAL CENTRE



PHONE (705) 657-8045 FAX (705) 657-8708



March 7, 2011

Paul Robinson City of Vaughan 2141 Major Mackenzie Drive Vaughan Ontario L6A 1T1

Dear Paul Robinson,

Re: Notice of Public Open House - New Vaughan Official Plans (Secondary Plans)

We would like to acknowledge receipt of your correspondence dated March 19th, 2010 regarding the above noted project.

As you may be aware, the area in which your project is proposed is situated within the Traditional Territory of Curve Lake First Nation. Our First Nation's Territory is incorporated within the Williams Treaty Territory and is the subject of a claim under Canada's Specific Claims Policy. We strongly suggest that you provide Karry Sandy-Mackenzie, Williams Treaty First Nation Claims Coordinator with a copy of your proposal as your obligation to consult to also extend to the other First Nations of the Williams Treaty.

Although we have not conducted exhaustive research nor have we the resources to do so, Curve Lake First Nation Council is not currently aware of any issues that would cause concern with respect to our Traditional, Aboriginal and Treaty rights.

Please note that we have particular concern for the remains of our ancestors. Should excavation unearth bones, remains or other such evidence of a native burial site or any Archaeological findings, we must be notified without delay. In the case of a burial site, Council reminds you of your obligations under the *Cemeteries Act* to notify the nearest First Nation Government or other community of Aboriginal people which is willing to act as a representative and whose members have a close cultural affinity to the interred person. As I am sure you are aware, the regulations further state that the representative is needed before the remains and associated artifacts can be removed. Should such a find occur, we request that you contact our First Nation immediately.

If any new, undisclosed or unforeseen issues should arise, that has potential for anticipated negative environmental impacts or anticipated impacts on our Treaty and Aboriginal rights we require that we be notified regarding these as well.

Thank you for recognizing the importance of consultation and respecting your duty to consult obligations as determined by the Supreme Court of Canada.

Should you have further questions, please feel free to contact me.

Yours sincerely,

Chief Keith Knott

Curve Lake First Nation

(705)657-8045

Bochan, Eugene

From: McQuillin, Roy

Sent: Friday, February 18, 2011 4:07 PM

To: Rossi, Melissa
Cc: Chong, Clement

Subject: FW: Property located at 10340 HW 27; Problem with OP designation

Attachments: 20110217135720.pdf; 20110217135758.pdf

Hi Melissa:

Something that can wait as per our discussion today. It looks like a fairly simple mapping change. Just getting it in the queue pending arrival of reinforcements. I advised Maurice that if we needed more information we'd be in touch.

Thanks,

Roy

From: MAURICE STEVENS [mailto:mstevens90@hotmail.com]

Sent: Thursday, February 17, 2011 2:04 PM

To: McQuillin, Roy

Subject: Property located at 10340 HW 27; Problem with OP designation

Hi Roy:

As per my voicemail, I have attached the following information:-

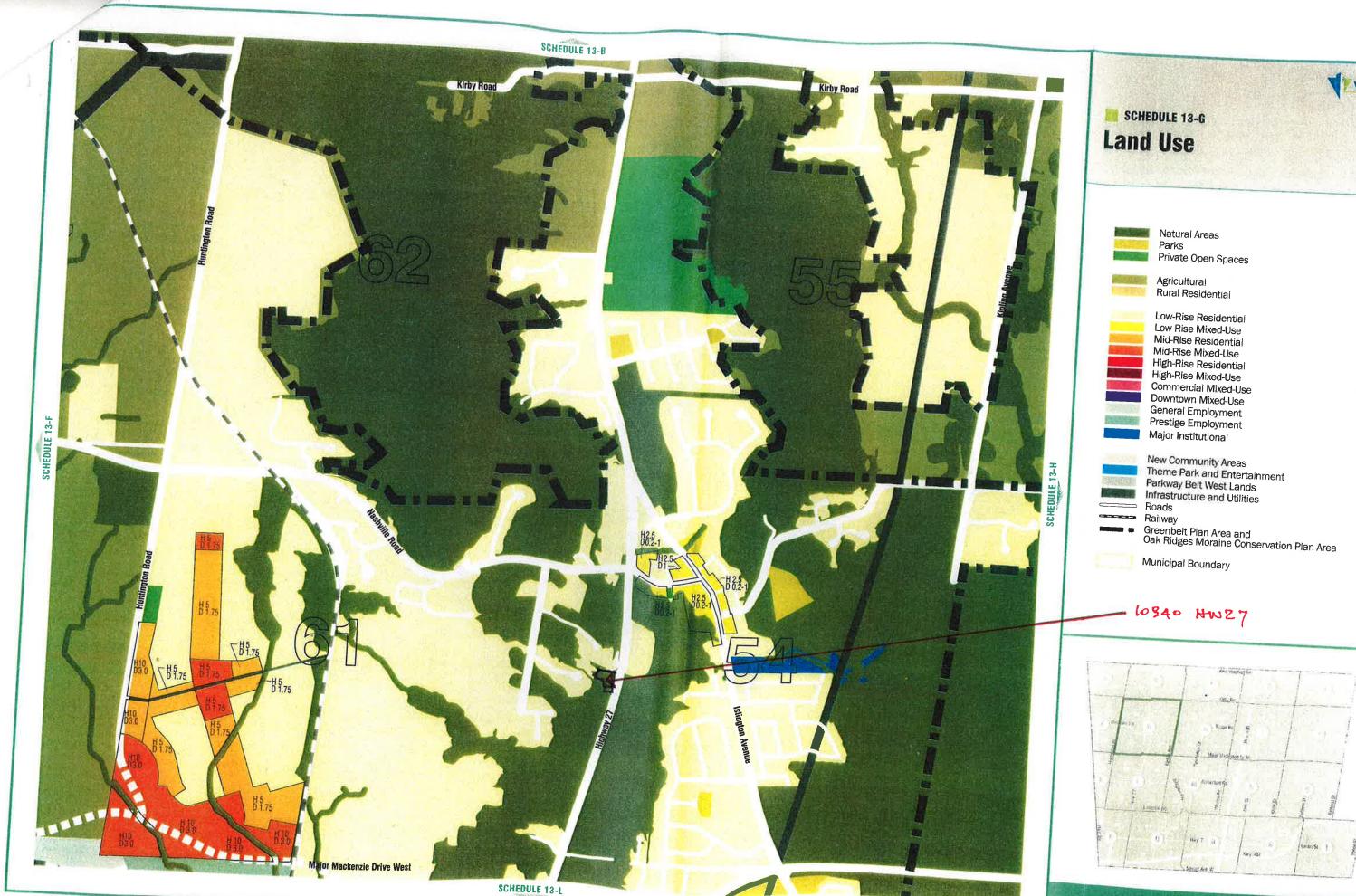
- 1) A copy of Schedule 13-G from the City OP on which I have outlined the location of the property known as 10340 HW 27.
- 2) A copy of an extract from the Zoning exception for this property (Schedule E-120 to By-Law 1-88, Section 9 (117)) which I understand was passed when the property was severed in 2002 (Files B-085-02 and Z-02-088)

Based on the current zoning, this property would be permitted to have a single family residential dwelling constructed on it. However, my reading of Schedule 13-G shows this property as either private open space, or natural area. In either case, I believe the schedule should be amended to show this as low rise residential, which would be consistent with the zoning.

Please reveiw the attached information and give me a call to advise how this apperant error can be corrected.

Thanks

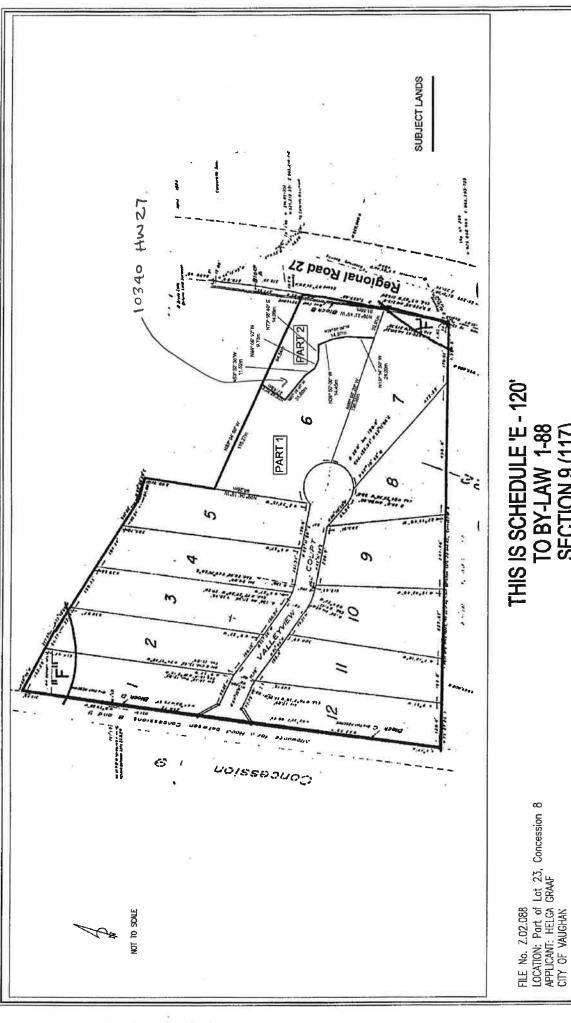
Maurice Stevens



VAUGHAN



0 100 250



THIS IS SCHEDULE 'E - 120' TO BY-LAW 1-88 SECTION 9 (117)

- 117) Notwithstanding the provisions of:
 - a) Subsection 4.2 regarding uses permitted in an RR Rural Residential Zone; and,
 - b) Schedule "A" regarding minimum yard requirements.

The following provisions shall apply to the lands shown as "Subject Lands" on Schedule "E-120".

- ai) Only a single family detached dwelling may be erected and used on each of Lots 1 to 12, inclusive except that Lot 6 may be subdivided into two lots and contain a single family detached dwelling on each of those said lots as shown on Schedule "E-120".
- bi) The minimum front yard setback for Part 2 of Lot 6, as shown on Schedule "E-120", shall be 18.0m.





March 1, 2011.

CFN 37250

BY FAX (1-905-895-3482 & 905-832-6080) AND MAIL

Mr. Duncan MacAskill, MCIP, RPP Senior Planner The Regional Municipality of York 17250 Yonge Street Newmarket, ON L3Y 6Z1 Ms. Anna Sicilia Senior Planner City of Vaughan 2141 Major Mackenzie Drive Vaughan, Ontario L6A 1T1

Dear Mr. MacAskill & Ms. Anna Sicilia:

Re:

Amendment No. 637 to the Official Plan of the Vaughan Planning Area

Bounded by Jane Street, Teston Road, Weston Road and Vaughan/King Boundary

City of Vaughan, York Region OMB Case/File No: PL 100850

Vaughan 400 North Employment Area Secondary Plan

This letter follows a request for comments regarding Amendment No. 637 to the Official Plan of the Vaughan Planning Area, in the City of Vaughan. This request was received from the Regional Municipality of York on October 8, 2010.

Staff at the Toronto and Region Conservation Authority (TRCA) have completed a review of the submitted materials and offer the following comments:

It is our understanding that the purpose of OPA # 637 is to implement the directions of the Highway 400 North Employment Lands Secondary Plan Study as it relates to the creation of a new employment area which is bounded by Jane Street, Teston Road, Weston Road and the Vaughan-King Municipal Boundary. Highway 400 traverses the subject lands.

Previously, TRCA staff provided comments on OPA # 637 on March 17, 2006 and May 11, 2006 to the City of Vaughan. In addition, we provided additional correspondence to the Region of York on January 30, 2009. There were primarily two areas of concern with respect to TRCA's policies and program interests as follows:

1. Natural Features:

Previously, TRCA staff had indicated that there were several natural features located on the subject site including but not limited to permanent/intermittent watercourses (with associated Regional Storm Flood Plain Areas), valleylands, tableland vegetation and significant vegetation contiguous with the valley and stream corridor as well as locally significant wetlands.

It is noted that an environmental analysis was conducted for OPA # 637 which identifies the natural features located on Planning Blocks 34/35. TRCA staff understands that Schedule 2D in OPA # 637 identifies these natural features. However, Section 2.3.2.10 denotes that detailed studies and further analysis will be required at the Block Plan/Master Environmental Servicing Plan (MESP) stage to determine the extent of the natural features on site and measures for their protection. Having reviewed OPA # 637 (dated July 6, 2006), we believe that provisions in the OPA, specifically Section 2.3.2.10

F:\Home\HUANGKE\Kevin's Files\37250 January 2011 Comments.wpd

Member of Conservation Ontario



March 1, 2011.

includes the appropriate policies which will protect these natural features in Blocks 34/35. However, we suggest that these policies could be strengthened by adding the following to Section 2.3.2.10 a):

"The detailed studies to be carried out for the Block Plans will determine the actual extent of any environmental features and the requirements for their protection including appropriate open space buffers. These studies and Block Plans will be completed to the satisfaction of the City of Vaughan and the TRCA."

2. Humber Watershed Flood Flow Modeling:

In our letter of January 30, 2009 addressed to Heather Konefat, TRCA staff had noted that updated hydrological modeling was undertaken as part of the updated Humber Watershed Plan (June 2008). This updated modeling outlined the potential for significant changes in flood flows and an increase in the potential risk to downstream areas in the watershed.

The updated Humber Watershed Plan concluded that development in the watershed beyond areas designated for development in municipal Official Plans (pre-2005) could increase flood flows and the risk of flooding downstream. The findings from this report will have implications on the approach to stormwater management practices as it relates to the development of the subject lands. Concordantly, with increased flood flows as a result of development employing conventional stormwater management practices, an increase in flood depths in existing vulnerable areas of the downstream watershed, including in downtown Woodbridge would result.

In order to address the issue of flood flows as it pertains to the development of Blocks 34 & 35, a major shift in the approach to stormwater management will be required. This in turn could have major impacts on the extent of the developable area in the subject area. Given the potential implications on the Block Plan Areas, TRCA staff met with representatives for the landowners and Region of York staff to discuss this issue on November 24, 2008. An interim solution was proposed whereby proposed stormwater management blocks would be sized to accommodate Regional Floods Flows. Provisions for these larger pond blocks would be made at the Blocks 34 & 35 MESP stage. The proponent and their consultants were amenable to the interim solution pending further studies as part of the overall Block Plan MESPs.

To implement this agreement, we request that the following policy be included under Section 2.3.4 ii) Stormwater Management, under new subsection h):

"h) The Stormwater Management Facilities will be designed and sized to accommodate the Regional Flood Flows of the Humber River. Upon completion of the Humber Flood Flow Modeling Program, and related adjustments to Stormwater Management Guidelines, the Stormwater Management Facilities may be redesigned and/or relocated to the satisfaction of the City of Vaughan and the TRCA."

Summary:

We respectfully request that the City of Vaughan and the Regional Municipality of York consider the following proposed modifications to OPA #637. We would ask for your consideration of these modifications prior to the next pre-hearing teleconference scheduled for March 28, 2011, if possible. Acceptance of these changes would assist with resolution of TRCA issues before the Ontario Municipal

Duncan MacAskill

- 3 -

March 1, 2011.

Board. We would be happy to meet to discuss as desired. Should you have any questions, please contact the undersigned.

Yours truly,

June Little, MCIP, RPP

Manager, Development Planning and Regulation

York West Team Extension 5756

/KH

c.c.: Tony lacobelli, City of Vaughan (E-mail)

John Zipay, Commissioner of Planning, City of Vaughan Euken Lui, Ontario Municipal Board (Fax: 416-326-5370)

Brian Denney, Carolyn Woodland, Deb Martin-Downs, Kevin Huang, TRCA (E-mail)

Rosemarie Humphries, Humphries Planning Group (Fax: 905-264-8073)

Bochan, Eugene

From: McQuillin, Roy

Sent: Monday, March 14, 2011 12:16 PM

To: Birchall, Diana; Chong, Clement

Subject: FW: YCDSB Outstanding Vaughan OP and Secondary Plan Items **Attachments:** Vaughan Official Plan Comments to Region- December 2010.pdf

Attached is a letter from Dec 10/2010 from the YRDSB to the Region with comments on Volumes 1 and 2. It looks like it wasn't copied to us, so it should go into the modification list for another look.

Roy

From: Christine Hyde [mailto:Christine.Hyde@ycdsb.ca]

Sent: Friday, March 11, 2011 3:00 PM

To: McQuillin, Roy

Cc: Iacobelli, Tony; jessica.peake@yrdsb.edu.on.ca

Subject: YCDSB Outstanding Vaughan OP and Secondary Plan Items

Hi Roy,

This past Friday I was in a meeting with Tony Iacobelli at the Region to discuss our comments on sustainable design requirements found in the OP's for East Gwillimbury, Richmond Hill and Vaughan. He suggested contacting you with our more Vaughan specific issues.

I have attached our comments that were sent to the Region in December, as there are items outside of the sustainable design requirements that are still outstanding.

These include, among other issues:

Vaughan Metro Centre - potential phasing plan, or trigger for school sites Kleinburg-Nashville Schedule B2 - defining a specific size and configuration of the school site

We look forward to discussing these items with you at your convenience. Thank you,
Christine

Christine Hyde
Planner
York Catholic District School Board
320 Bloomington Road W
Aurora, Ontario
L4G 0M1
(P) 905.713.1211x12360
(F) 905.713.1269
christine.hyde@ycdsb.ca

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York Catholic District School Board

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Tel: 905-713-2711, 416-221-5050, 1-800-363-2711, Automated Lines: 905-713-1211, 416-221-5051
Fax 905-713-1272 • www.ycdsb.ca

December 15, 2010

By Email

Augustine Ko Senior Planner York Region 17250 Yonge Street Newmarket, Ontario L3Y 6Z1

Dear Mr. Ko,

RE: Adopted Official Plan and Associated Secondary Plans City of Vaughan

Thank you for the opportunity to comment on the Official Plan and associated Secondary Plans, which were adopted on September 7, 2010. Our letters to the City of Vaughan (attached) identified a number of concerns, some of which are outstanding.

Official Plan

Policy 9.2.3.8 (b)

The OP states that institutional buildings shall "generally be oriented to front onto a public street and provide direct and safe pedestrian access, separated from parking lots, to any main building entrance".

Policy 9.2.3.8 (c)

The OP further states that "surface parking is discouraged between the front or side of a Public and Private Institutional Buildings and a public street". We do not support these policies as it negatively impacts on school site design and traffic management. We generally design school sites to include front and/or side parking for the following reasons:

- We locate our barrier free (handicapped parking) spaces close to the front door of the building. (for security and student safety reasons we have all visitors enter through the front doors)
- Some "Front" parking minimizes the penetration of cars into school property and provides an
 opportunity for a pickup and drop off loop, generally reserved for busses.
- The majority of our school sites have a dual frontage. This is intentional to provide opportunities for one loop and parking areas on either frontage separating parent and bus pick up and drop off. Given the policy in subsection b requiring buildings to front onto the street, these policies restrict parking at both frontages and seriously impact the configuration of our sites, potentially requiring a larger school site.
- In reviewing our sites with the principles of CPTED (Crime Prevention Through

Environmental Design), creating a non-supervised area accessible by vehicles runs contrary to those principles.

Policy 9.2.3.8 (d)

The OP states that "the rooftop of all public and private institutional buildings shall include landscaped greenspace, private outdoor amenity space or environmental features such as solar panels." School boards have always embraced achieving energy efficient designs and incorporate green technologies within our allotted funding; however we do not support a requirement for specific design or green technologies as they may increase costs above funding, which may jeopardize the approval of a new school. We suggest that the policy should be changed from "shall include" to <u>are encouraged to include</u> recognizing our commitment to working with the Ministry to fund such initiatives.

Vaughan Metropolitan Centre Secondary Plan

Recognizing the school sites depicted on Schedule F represent a general location, and that specific orientation will be addressed later in the development process the school board requests that some mechanism be introduced into the secondary plan to ensure details regarding size, location, and configuration of school sites are determined prior to development commencing within the community. It is suggested that this mechanism can take place through a phasing plan or requirement to review the provision of all services at milestones in the development approval process (i.e. every 2,000 units approved).

With respect to **Section 7.2.4**, which states that "The School Boards shall be encouraged to develop alternative standards for new schools in high density neighbourhoods."

Please be advised that there are a number of factors and issues that must be addressed in considering a smaller building footprint, such as premiums in construction costs, programming, use of the facility and safety.

Please note that our current site standard breakdown is as follows:

Building Envelope for 2-storey school	.75 acres
Hard Surface Play Area	0.5 acres
Playfield	1.25 acres
Green/ Open space	0.75 acres
Parking/Vehicular Circulation	1.2 acres
Bus Loop	0.45 acres
Municipal Set Backs (10m -12m)	1.0 acres
,	5.9 acres

Policy 7.1.1

We suggest the insertion of **configuration** in the following policy wording:

"...the City shall work with the Region of York, the School Boards and other public agencies to assess the need for community facilities and determine or confirm the appropriate location(s), configuration, form and program for required facilities."

Policy 7.1.2

It is our understanding that school boards would not be required to enter into any agreements with landowners.

Policy 7.2.5

We support Policy 7.2.5 with reference to Section 37 of the Planning Act, which is detailed in Policy 8.1.1.2

Policies 5.5.3 and 5.5.4

With respect to the environmental site design requirements outlined in policies 5.5.3 and 5.5.4:

School boards have always embraced achieving energy efficient designs and incorporate green technologies within our allotted funding from the Provincial Government; however we would not support a requirement for specific design or green technologies as they may increase costs above funding, which may jeopardize Ministry of Education approval of a new school.

We ask that similar to Section 5.5.2, that school boards be excluded from these requirements and that the policy wording be amended to specify "...institutions, with the exception of schools, ...".

Policy 8.7.1 (d)

This policy states that "Surface parking in the South and Neighbourhood Precincts, where appropriate, shall be located in the interior of a development block, accessed from a rear laneway and screened by buildings....Off-street surface parking shall not be located between the building and the street."

The Board requests that some parking between the building frontage and the street be permitted for the elementary school in the South and Neighbourhood Precincts, due to design issues as identified above in response to Policy 9.2.3.8.

Kleinburg-Nashville Secondary Plan

Two school sites are identified on Schedule B2 of the Kleinburg-Nashville Secondary Plan. We look forward to an opportunity to determine their specific size and configuration.

According to **Policy 4.12 (c)**, "The City, in consultation with the School Boards, will promote efficient, urban school site sizes, minimize overall school site footprints, and maximize the area available for on-site recreational and athletic use through the construction of multiple storey buildings that permit smaller building floor plates."

This policy is similar to section 7.2.4 of the Vaughan Metropolitan Centre Secondary Plan, please refer to the comments above regarding current site standards.

We look forward to working with the Region in the development of a final document and are available for any questions or clarification you may require.

If you require further information, I can be contacted directly at 905.713.1211, ext. 12360.

Sincerely.

Christine Hyde

COM

Planner

M:\Word Processing\PROPOSAL.RES\OP.ZONING\Vaughan\Vaughan OP\Vaughan Official Plan Comments to Region December 2010.doc

c.c Jessica Peake, YRDSB

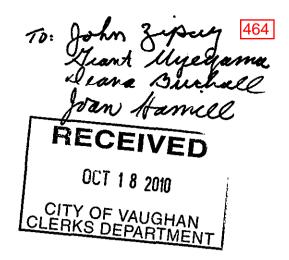
October 12, 2010

....

City of Vaughan

Attn. Mr. Jeffey A. Abrams, City Clerk 2141 Major Mackenzie Drive Vaughan, ON L6A 1T1

CC: Mr. John Zipay



Subject: TO BY -Law 239- 2010 file Z.10.013

Dear Sir,

Please be advised that I and my Family strongly disagree with the latest decision made by City of Vaughan to rezone lands from agricultural zone to residential zone. Woodlot on the corner of Dufferin and Summeridge as per TO BY -Law 239- 2010 file Z.10.013, will be almost 99% cut down.

This decision is unbelievable. My present financial family situation does not allow me to pay \$845, in total fees to City of Vaughan in order to officially appeal to this decision. However, as a resident of City of Vaughan, for almost 5 years, I want you to be aware of my opinion. Even more surprising is, that this decision comes in the time when "going green ", "preserving the nature and forests" are imperatives, especially in new urban areas/developments.

This woodlot is located in front of my backyard. Probably it took it at least 30-40 years to grow, and it can disappear within a week. The only benefit from this decision to build townhouses will be for Elm Thornhill Woods Inc.

This woodlot is protecting Thornhill Woods from noise and pollution that comes from Dufferin St. traffic, it's house to many birds(eagles for example), animals etc. It is ecologically and environmentally valuable for our community.

The woodlot north from water reservoir is already gone, this one is next. What's the point of promoting green energy and healthy communities, when at the same time woodlots are disappearing?????

The nature and future generations will not forgive us our mistakes.

My additional concern is in regards to future building/ongoing construction directly adjacent to the Old Mennonite Cemetery. May all the souls there rest if peace, but what if strange things start to happen? Most of the residents in Gauguin Ave. have small kids. We will be forced to move. Please do not ignore my concerns.

sincerely, Aleksande lubromé

Jaka di

Aleksandra Kuburovic, P. Eng.

22 Gauguin Ave. Thornhill, ON

L4J 9J7

Tel; 905-326-1513

From: Abrams, Jeffrey

To: Uyeyama, Grant; Birchall, Diana; Peverini, Mauro; Chong, Clement;

Zipay, John;

Subject: FW: Yonge Steeles Study Area

Date: Monday, January 10, 2011 4:07:13 PM

Please see attached.

Connie Bonsignore
Administrative Assistant
Office of the City Clerk

Telephone: (905) 832-8585 Ext. 8280

Email Address: connie.bonsignore@vaughan.ca



From: Minghella, Enzo [mailto:enzo.minghella@cibc.ca]

Sent: Monday, January 10, 2011 11:21 AM

To: Abrams, Jeffrey

Subject: Yonge Steeles Study Area

Enzo Minghella c/o 35 Crestwood Road Thornhill, ON, L4J 1A4

Tel: 905-762-2340

e-mail: enzo.minghella@cibc.ca

January 10, 2011

Jeffrey Abrams <u>jeffrey.abrams@vaughan.ca</u>

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

Dear Mr. Abrams:

This letter is in reference to the recent passing of Vaughan's Official Plan Review and the possibility of revisiting the densities assigned to the Yonge Steeles Corridor Secondary Plan. I am the founder of the Crestwood Road Ratepayers Association, and have personally signed almost all its members. Further, I have visited with virtually all the residents and property owners within our jurisdiction. Please note we currently have a petition before Mr. Mark Ranstoller regarding road calming on Crestwood and Powell Roads. During the recent process of attaining signatures, I have had many discussions with the residents of Crestwood and Powell about virtually everything affecting our neighbourhood. There appears to be a belief at the City's Planning Department that the neighbours and/or our Association has some hesitation or objection to this development block receiving increased density up to 5 times coverage (FST), and on that basis, the City allocated densities from 5 to 1.5 FST within the area. As far as I am aware, there is no objection to approve 5 or even 6 FST for the properties fronting on Yonge St. and Steeles Av. I believe that the higher density will increase the overall value of our properties. The most important issue to us is that: Condos will be built; the construction is of good quality; and that the money collected for park purpose is invested in our neighbourhood in particular to fix the existing park at Pinewood Dr. and add a building for our seniors and our youth and add one or more parks in our community.

Many of us are very supportive of increased intensification. This is a most suitable area for the highest densities because of its location on Yonge Street and all the public transportation that the Yonge Steeles corridor offers. In fact there is more public transportation offered at Yonge and Steeles than anywhere else in Vaughan especially considering the extension of the Yonge subway. The Yonge Steeles Corridor Secondary Plan area seems indeed to be strategically a most important area of Vaughan. I was quite surprised that a more constant and consistent density was not planned for throughout the study area. Many of us are members of the Saint Pascal Parish on Steeles Av. We want our Parish to receive the highest density given. In fact I would propose that the same density be given from the Parish to Crestwood Rd.

I hope you will revisit the current densities and plan for a more significant development commeasuring and reflective of the unique position our area has within Vaughan.

Sincerely,

Enzo Minghella

Vice President & Spokesperson Crestwood Road Ratepayers Association

Please provide copies to:

Mayor and Members of Council

John Zipay, Commissioner of Planning

Diana Birchall, Director of Policy

Enzo B. Minghella Vice President Investment Advisor

CIBC World Markets Inc. (905) 762-2340 enzo.minghella@cibc.ca

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H. Muchall M. Bushall M. Peverni C. Chong

Encyled to

CORTEL GROUP & Transel

December 13, 2010

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

To: Jeff Abrams, City Clerk

Mayor and Members of Council

John Zipay, Commissioner of Planning

Marlon Kallideen, Commissioner of Community Services

RECEIVED

DEC 16 2010

CITY OF VAUG CLERKS DEPART:

RE: 1) Notification Request 2) Strata Parks

I have been advised that some major land owners in the Vaughan Meiropolitan Centre have requested that the Council adopted Official Plan 2010 be reviewed with respect to the configuration of land use designation, road layout, policies, land use permissions and the VMC boundary. Council has directed that staff undertake this review.

As a significant land owner within the VMC; our company has been represented at a number of open house meetings to receive and to provide input concerning the various drafts prior to adoption of the final plan by Council. Given that it is the City's intention to revisit the adopted plan, I am requesting that I be notified of any changes and that appropriate public consultation be afforded to all land owners in the VMC so that we are given an opportunity to review and comment on any proposed changes.

Since the Official Plan as it affects the VMC is being reviewed, I am requesting consideration of the inclusion in the new Official Plan, a policy which provides for permission to allow "strata park arrangements" between private developments and the municipality within the VMC. This arrangement is already an accepted practice within the GTA. The City of Markham has recently entered into such arrangements.

Through this letter I am requesting that the newly adopted Official Plan be amended to include a policy which permits "strata parks." This would provide for the establishment of surface parkland owned by the municipality above privately owned underground parking facilities. Such an agreement would assist the municipality in obtaining deeded parkland within the VMC and to be competitive with our neighbouring municipalities.

I look forward to future discussions concerning this very important initiative.

Sincerely,

Mario Cortellucci



Goodmans

Barristers & Solicitors

Bay Adelaide Centre 333 Bay Street, Suite 3400 Toronto, Ontario M5H 2S7

Telephone: 416.979.2211 Facsimile: 416.979.1234 goodmans.ca

Direct Line: 416.597.4119 rhouser@goodmans.ca

November 3, 2010

Our File No.: 09.1332

Via E-mail: diana.birchall@vaughan.ca

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

Attention: Diana Birchall, Director

Dear Ms. Birchall:

Re: OPA 637 and Vaughan's New OP

On behalf of our client, the Block 34 East Landowners Group Inc., we wrote on August 16, 2010 seeking confirmation that the corrected version of OPA 637 that was to be forwarded by the City to the Region for approval would properly incorporate the modifications endorsed by Vaughan Council on September 11, 2006.

In our letter, we specifically drew your attention to the increase in the size of the "Mixed Use Area – Employment/Commercial" designation at the northwest corner of Jane Street and Teston Road, which Council had enlarged from 6 ha. (15 ac.) to 16 ha. (40 ac.), as well Council's endorsement of an increase in the maximum size limit for individual retail buildings from 929 m² to 2,800 m². The Council resolution similarly enlarged the size of the other Mixed Use Area Employment/Commercial designation at the southwest corner of Jane Street and the King Vaughan Road and increased the maximum size of individual retail buildings in that location as well.

We have continued to monitor the processing of OPA 637 by the Region of York. We understand from Duncan MacAskill that, despite some initial confusion, the Region has now circulated a corrected version of OPA 637 which reflects the changes endorsed by Vaughan Council.

Goodmans[®]

However, it has now come to our attention that the Land Use Schedule included in Volume 2 of the new Vaughan Official Plan which pertains to the OPA 637 does not correctly reflect the increased sizes of the two Mixed Use Area – Employment/Commercial designations.

We are writing to confirm our understanding that the City has advised the Region of this error in Vaughan's new OP and has requested the Region to approve the enlarged Mixed Use Area-Employment Commercial designations endorsed by Vaughan Council in September 2006. We would appreciate your written confirmation that this error in the new OP has been addressed.

Yours truly,

Goodmans LLP

Roslyn Houser

jab/mr

Clement Chong – City of Vaughan

Duncan MacAskill - Region of York

Jim Kennedy – KLM Planning

Horn Hausen

Rosemarie Humphries – Humphries Planning Group Inc.

\5901051



BOUSFIELDS INC.

September 22, 2010

Project No. 0881

Regional Municipality of York 17250 Yonge St. Newmarket, ON L3Y 6Z1

Attention: Mr. Denis Kelly

Regional Clerk

Dear Mr. Kelly,

Re:

City of Vaughan Official Plan Review

Amendment 2010 to the Official Plan for the City of Vaughan

We are writing on behalf of our client, Euro Estates Ltd., the owners of approximately 8.6 ha, located in the northwest quadrant of the Carrville Centre as shown on Attachment 1 (the subject lands), to its Section 11.2 including Map 11.2.A - Carrville Secondary Plan Land Use.

The subject lands were originally included within the Carrville District Secondary Plan (OPA 651). Schedules A and B to the Secondary Plan, as well as the Appendices clearly identified the approved land uses, heights and densities, by block. The subject lands were designated High Density Residential, Medium Density Residential, Park, Valleyland and Woodlot, and Stormwater Management. A site specific policy (7) permitted small lot single detached units in the Medium Density Residential designation adjacent to the Valleyland as shown on Attachment 2.

Following the approval of the Secondary Plan, a Landscape Master Plan and Urban Design Guidelines for the Carrville District Centre were completed. Our client participated in these processes, however, they continued to have concerns with respect to the Master Plan recommendations. The Master Plan exercise was not intended to be a Secondary Plan review and the City had advised that the Master Plan would not result in significant changes to the approved Secondary Plan, as it affected the subject lands.

On August 25th, when my client was out of the country, the City of Vaughan released to the public the staff report and associated Carryille Secondary Plan (as part of the overall City of Vaughan Official Plan Review). The proposed official plan amendment was considered at a public hearing on September 2nd, recommended for approval by Committee of the Whole and adopted by Council on September 7th, 2010. It has been forwarded to the Region for approval.

We submitted a letter to Special Committee on September 2nd, expressing our concerns about the amount of time provided for meaningful comment at the public meeting. Subsequently there was not enough time between the public meeting (the Thursday night before the Labour Day weekend) and the Council meeting



(the Tuesday following the Labour Day holiday Monday) to meet with staff or to discuss appropriate modifications.

Our client has the following concerns with the proposed Secondary Plan as it affects its lands and/or any cost sharing agreements. As noted, Attachment 2 is the approved Secondary Plan and Land Use Schedule and Attachment 3 is the proposed Carrville Secondary Plan Land Use Schedule.

- (a) The proposed Land Use Schedule does not accurately represent the top of bank (as identified by the TRCA). While we recognize that the Land Use Schedule is diagrammatic - it should be diagrammatically right, not wrong, in its depiction of the Natural Area designation. Attachment 4 illustrates the top of bank location.
- (b) The storm water management pond, which appears to be somewhat smaller than the required area, has been shifted north so it is now bisected by the valley and the buffer area - a location which is clearly impractical.
- (c) The actual area shown as valleyland is understated, giving the impression that there is more developable land north of the connecting road than is actually the case. We would note that the Secondary Plan proposes that a separate 10m buffer block be provided along the top-ofbank, which will further reduce the developable area north of the eastwest road.
- (d) With respect to the maximum and minimum heights proposed, and recognizing that taller buildings may be appropriate at the corner of the collector road and Dufferin Street, we would ask that the Secondary Plan include more general policies with respect to the heights of buildings, in order to allow greater flexibility as the lands develop over time.
- (e) South of the east-west local road, the size of the park appears to have been increased although there is not any indication of its approximate size (as was the case in OPA 650). By our very rough calculation it would occupy at least 10% of my client's property within the Centre.
- (f) The Secondary Plan requires that all parkland be designed and built to the satisfaction of the City. No indication is given as to who will share in the cost of this work - a matter of particular concern given the size of the park in relation to my client's total holding in the Centre.
- (g) A High Rise residential designation has been introduced immediately west of the park, with no indication of the how public road access is to be provided - as the north-south local street which existed in OPA 650 has been eliminated.
- (h) The minimum and maximum height of this new High Rise residential block has been established at 6 storeys. This maximum/minimum restriction provides no flexibility in the design and marketing of this block we would ask that the minimum heights be reduced to 3 storeys.



- (i) Permission for single detached lots on the north side of the east-west local street has been eliminated (a site specific policy in OPA 650). We would ask that this permission be re-instated.
- (j) York Region Transit (YRT) has not identified the need for a transit facility in Carrville, nor has the nature of any such facility been defined in any way. However, YRT has advised that they will continue to use the existing bus routes (on perimeter Carrville Roads) and will not require any facilities outside the dedicated rights-of-way. We would ask therefore that this reference to a transit facility be removed.

Accordingly, in order to address these issues we are requesting that the amendment be modified as follows:

a) The Secondary Plan Land Use Schedule

- should reflect the valleylands, identified by the established top-of-bank as shown on Attachment 4;
- · should place the storm water pond on the tableland;
- should permit small lot single detached units within the Low Rise Mixed Use designation;

b) The Secondary Plan Text

- should permit building heights within the Low Rise Mixed Use designation of between 2 - 4 storeys;
- should permit building heights within the High Rise Residential west of the Park of between 3 - 6 storeys;
- should permit building heights within the High Rise Residential north of the east-west local road of 2 - 16 storeys;
- should identify the approximate size of the proposed park;
- should include policies to clarify that the park will not be dedicated in its entirety by the owner, but that the parkland dedication will be in accordance with the provisions of the Planning Act;
- should include policies with respect to the equitable cost sharing of required facilities including the provision and improvement of parkland; and
- * should eliminate references to the Transit Facility (Section 11.2.5.6).



We look forward to reviewing these proposed modifications with Region of York Planning staff.

Yours truly,

Bousfields Inc.

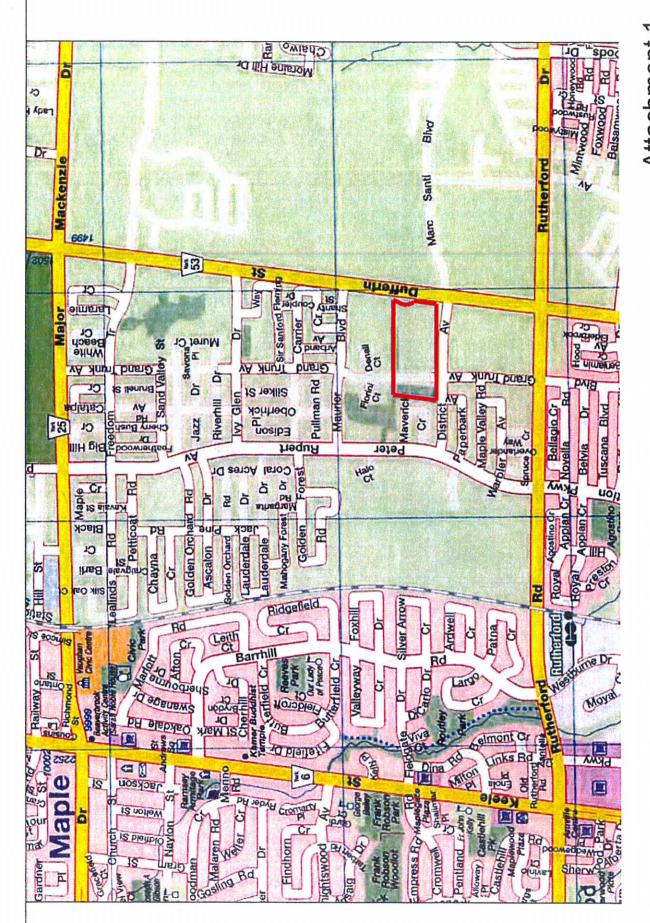
Lindsay Dale-Harris M.Sc.(PI) MCIP, RPP

inda Jelo- denis

LDH/kh:jobs

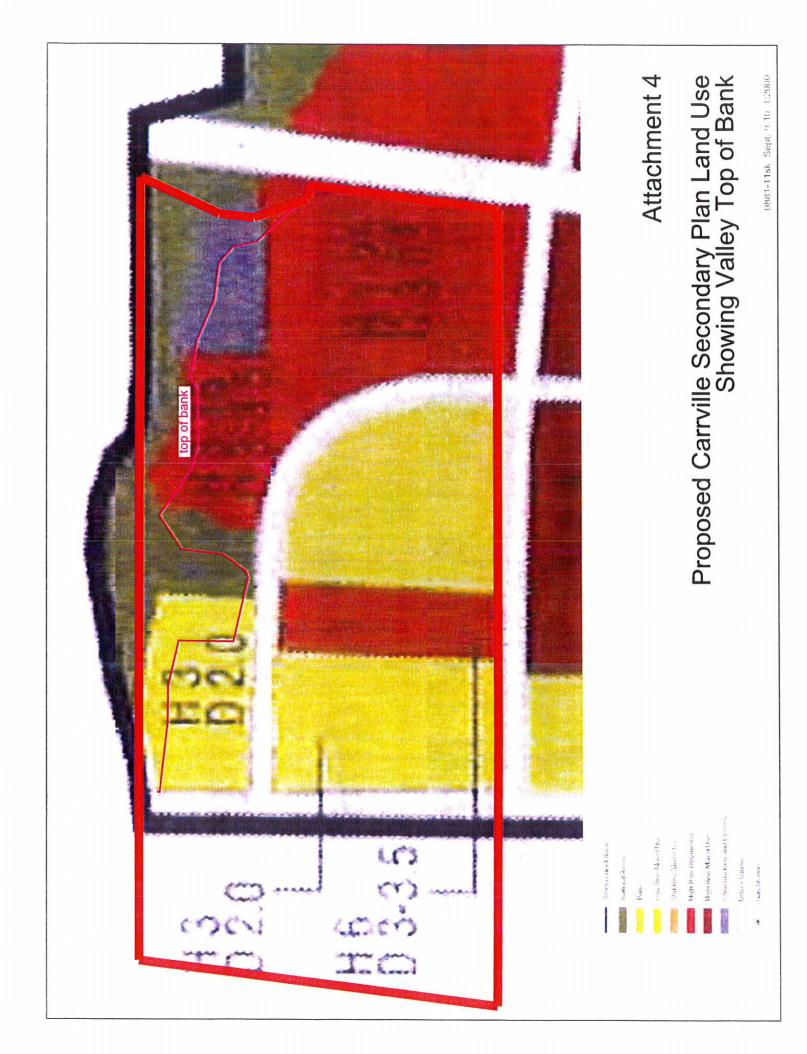
c.c. Dinko Musich, Euro Estates

John Zipay, City of Vaughan, Planning Commissioner



Attachment 1 The Subject Lands





Dixon, Steven

From:

lacobelli, Tony

Sent:

Monday, July 04, 2011 3:13 PM

To:

Rossi, Melissa

Cc:

Dixon, Steven

Subject: Mapping request from TRCA

This is a note about a previous mapping request made by TRCA for lands at Rutherford and Islington. We should add this to the list of possible mapping changes to double-check.

Tony

NOTE FROM TRCA

Schedule 13M - Nursery Lands - n/e corner Rutherford and Islington - had requested extension of Low Rise Mixed Use to reflect lease for commercial nursery purposes. No change has been made to Schedule 13M

Tony lacobelli, MSc, MCIP, RPP Senior Environmental Planner City of Vaughan 2141 Major Mackenzie Drive, Vaughan ON L6A 1T1 905-832-8565 ext 8630 tony.iacobelli@vaughan.ca

Tel Matrundola 357 Bay Street, 1003 Toronto, Ontario M5H 2T7 T.416-822-4859 F.416-848-9938 e-mail: telm@pwbank.com

December 28, 2010

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

Dear Mr. Abrams:

Subsequent to my letters sent June 18, 2010, and July 10, 2010, both to Mr. John Zipay, Commissioner of Planning, and prior to my letter of March 23, 2010, addressed to Mr. Paul Robinson, ex-Senior Policy Planner, and my letter of June 22, 2009, addressed to some Councillors and officials in the Policy Planning Department, and subsequent to the Council passing the Official Plan, we still have outstanding our two issues. Please see the attached letters documenting our issues.

Kindest regards,

Tel Matrundola

Tel A.

(On behalf of Tan-Mark Holdings Ltd., Telast Enterprises Inc., and Gino Matrundola)

RECEIVED

JAN 1 0 2011

CITY OF VAUGHAN CLERKS DEPARTMENT

C.c.: John Zipay, Commissioner of Planning
Diana Birchall, Director of Policy Planning
Mark and Tony Pacitto, Tan-Mark Holdings Ltd.

Gino Matrundola, Telast Enterprises Inc.

Enzo Minghella, VP & Spokesperson, Crestwood Road Ratepayers Association

Tel Matrundola 357 Bay Street, Suite 800 Toronto, Ontario M5H 2T7 Tel: 416-822-4859 Fax: 416-848-9938

e-mail: Twick Disk Senter on

Fax Cover Sheet

To:

John Zipay, Commissioner of Planning

City of Vaughan

Fax:

905-832-8545

Date:

July 10, 2010

From:

Tel Matrundola (Telast Properties & Tan-Mark Holdings)

416-822-4859

Pages:

16 including cover sheet

Subject:

7080 Yonge Street / New Official Plan

Copy of all correspondence submitted to the City of Vaughan

Please find attached a copy of our complete submission. Should you wish to speak with me, please call me at 416-822-4859.

Kindest regards,

Tel Matrundola

Fax Cover Sheet

To:

Diana Birchall, Director of Policy Planning

City of Vaughan

Fax:

905-832-8545

Date:

July 10, 2010

From:

Tel Matrundola (Telast Properties & Tan-Mark Holdings)

416-822-4859

Pages:

16 including cover sheet

Subject:

7080 Yonge Street / New Official Plan

Copy of all correspondence submitted to the City of Vaughan

Please find attached a copy of our complete submission. Should you wish to speak with me, please call me at 416-822-4859.

Kindest regards,

Tel Matrundola

Tel Matrundola 357 Bay Street, Suite 800 Toronto, Ontario M5H 2T7 Tel: 416-822-4859 Fax: 416-848-9938 e-mail: Tel: Saybark.com

Sent by e-mail, mail and fax to: The City of Vaughan at: 905-832-8545, and to GHK Canada at: 416-362-7764

July 10, 2010

John Zipay
Commissioner of Planning
City of Vaughan
City of Vaughan Civic Centre, Main Floor
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

Mr. Zipay, thank you kindly for meeting with us during the morning of July 9, and for providing us an opportunity to discuss with you the three issues negatively impacting our property at 7080 Yonge Street with respect to the new official plan.

Please find attached a copy of all correspondence sent to the City of Vaughan addressing this matter. We would like to ensure that you, Diana Birchall, Director of Policy Planning at the City of Vaughan, and John Gladki of GHK Canada, your consultant focused on the Yonge Steeles Gateway portion of the study, each receives a copy of our complete correspondence submitted.

in the event you may like to meet again, we will make ourselves available at anytime.

Kindest regards,

Tel Matrundola

C.c.: Diana Birchall, Director of Policy Planning, City of Vaughan
John Gladki, Principal Consultant, GHK Canada
Mark & Tony Pacitto, Tan-Mark Holdings
Gino Matrundola, Telast Properties
Enzo Minghella, VP & Spokesperson, Crestwood Road Ratepayers Association

Tel Matrundola 357 Bay Street, Suite 800 Toronto, Ontario M5H 2T7 Tel: 416-822-4859 Fax: 416-848-9938

e-mail: "siffignethens com

Sent by e-mail, mail, and fax to: 905-832-8545

June 18, 2010

John Zipay
Commissioner of Planning
City of Vaughan
City of Vaughan Civic Centre, Main Floor
2141 Major Mackenzie Drive
Vaughan, ON, L6A 1T1

Dear Mr. Zipay:

This letter is further to our deputation made at your meeting held on May 17 at 7:00pm at the Vaughan Council Chambers. Our property is located at 7080 Yonge Street, which is at the Yonge & Steeles Gateway. We are within the first short block between Steeles Ave. and Crestwood Rd., the distance of this block spans approximately 269 metres (883 feel), and takes less than three minutes to walk.

We have been requesting to see a map illustrating how our property will be impacted by the proposed new road extension connecting the existing Royal Palm Drive on the West side of Yonge St. to Woodward Ave. on the East side of Yonge, as well as the proposed new park lands, and the densities affecting our Yonge & Steeles block. To date, we have not been successful in getting any detailed map showing specifically where you are proposing the road is to be constructed in comparison to our property lines, where the park will be placed and which properties within our short block are to receive 5X FSI, 3.5X and 1.5X, and where these transition lines are.

It's unacceptable that we are to take a position on this matter when we are not being provided with the necessary details by the City of Vaughan Planning Department in order to make an informed decision. We deserve to know specifically what you are proposing and how it impacts our property.

You are approximately showing that our lands will have 3.5X FSI along the front portion, which would be our Yonge Street frontage (with no indication for what depth), and 1.5X FSI along the back portion, for what appears to be an average of 2.5X FSI for our whole property. However, the lands adjacent to the South of us are being allocated 5X coverage. You are giving them double the density we are getting, yet our lands are directly next door to each other.

Our lands are approximately 197 metres (646 feet) from the corner of Yonge & Steeles and within a 2.15 minute walk from the corner. This entire first block on Yonge, from Steeles to Crestwood in fact takes 3 minutes to walk. On Friday, May 7, I along with our partner walked casually this block and timed it at 2.15 minutes from the corner of Yonge & Steeles, North along Yonge and then to the midpoint of the frontage of our property. 3 minutes got us just North of Crestwood Road into the second block along the front of the Yonge Steeles Ford dealer lands, and 5 minutes got us well into the Roy Foss lands in the third block. Keep in mind these are very short blocks.

Our position is that our first entire block, from Steeles to Crestwood, should get at least the same 5X coverage the adjacent lands to us are receiving. In other areas of the City, you have utilized the 5 minute walking rule to public transportation, where all the lands within a 5 minute walking distance are all given the exact same maximum density. Certainly, you can allocate to our entire first block, within this short 3 minute walk of the Yonge- Steeles corner, the same 5X coverage our next door neighbours are receiving.

We would like to reiterate that your experts and consultants have stated at your public meetings that "people will use public transportation if they can walk to it within 5 to 10 minutes". At the meeting held on

May 3, your consultant making the presentation, Mr. Pino Di Mascio from Urban Strategies, stated that 50% of the population will use public transportation if it is within a 5 minute walk. Again, we are a 2.15 minute walk from the corner of Yonge & Steeles, which is the primary transportation hub in Vaughan right now. To give us half the density is to waste our land. This is the juncture where the TTC, VIVA and GO all meet. 2.15 minutes is less than half of the 5 minute walking rule, which you used for development at the Spadina subway across from York University. Since we are within the 5 minutes and in fact within 2.15 minutes, and in order to be fair to us, our full property should also receive the same 5X density.

Since your experts, and the numerous studies presented by your experts, state that the greatest intensification must occur within a 5 to 6 minute walk to public transportation, we don't understand why you are trying to limit only our density to an artificially low number, nor do we understand whose interest this is serving.

Why is it that at our property at the Yonge & Steeles Gateway you are now making an exception to the 5 minute rule?

And why is it that you are giving us half the density that our next door neighbors are receiving, when we are both within a short 2.15 minute walk of the Yonge & Steeles Gateway, the richest and broadest serving transportation hub you have in all of Vaughan?

The Yonge & Steeles Gateway offers the TTC, Scarborough buses, Brampton buses, York Region buses, GO, VIVA and there are plans to extend the Yonge Subway. No where else in Vaughan can you boast the same or more access to public transportation than offered at the Yonge & Steeles Gateway.

Furthermore, you have up to 6X FSI at the Vaughan Metropolitan Centre, 5X FSI at Bathurst along Centre Street, and neither of these locations has the transportation we do at the Yonge & Steeles Gateway. The Yonge & Langstaff site is getting 7X FSI, which is also on Yonge Street but 4 KMs North of us. We are at Yonge & Steeles and we are getting 1.5X FSI on half of our property?

We feel we are being unjustly treated by the City of Vaughan.

The fact is, our site is more prominent than any of the other sites in Vaughan, with all due respect, and regardless of your efforts to create a Vaughan Metropolitan Centre. We are significantly more prominent, we are the Gates of Vaughan, Markham, and York Region. This is the juncture where Vaughan, Markham, York Region and Toronto cross. And along Yonge Street is where people want to live. Liberty Developments, across the street from us, apparently sold 50% of their units in the first weekend of launching their World on Yonge sales site, and this is with 32 storey towers being planned. No where else in Vaughan has there been such a demand to buy high-rise residential units. People want to live on Yonge Street, and Yonge & Steeles is the single most prominent site along Yonge, or anywhere else for that matter in Vaughan, that the City of Vaughan has to offer.

When you are giving 5X and 6X to other less prominent sites, with significantly less access to public transportation, and then cap us at 3.5X and 1.5X, we have no choice but to object vigorously.

The appearance is that you are accommodating some developers at the expense of others. The fact is, there is a finite number of units that are required, and for every unit less that you are able to allocate to our property, it means you can give these extra units to another developer for their property, giving to them a higher density. It is not feasible for you to argue at the OMB, or with anyone open minded, that you can have 5X to 6X densities at other Vaughan sites and cap us at 3.5X and 1.5X for a 2.5X average.

We also would like to note that we have been told by one Councillor that this lower density is what the ratepayers group in our area told him they wanted. In fact, and completely contrary to this, the ratepayers group is in support of at least 5X coverage for the entire 5 minute walking distance of the corner and in fact, they have brought this to the attention of the City. The spokesperson for the ratepayers group in question, the Crestwood Rate Payers Association, Enzo Minghella, is copied here. Please confirm this for yourself with Mr. Minghella.

There is a Toronto Star article which references that the City is approving approximately 200 people/jobs per hectare, yet Metrolinx recommends for a transportation hub like ours there should be approximately 400 people/jobs per hectare, or double what Vaughan is proposing. The Town of Markham is proposing 1,000 people/jobs per hectare on the same street — Yonge Street, 4 kilometres North where public transportation is not as broad, and we support entirely that development. Vaughan's approach to planning and its capping so dramatically of our coverage does not make any planning sense whatsoever, other than the appearance that your directly helping other developers receive more units on their lands. When you unjustly put less units on our property, you get to give those units to another developer. This is unfair. It appears Vaughan is interested in wasting good lands next to public transportation, and continuing to destroy farm land by unnecessary sprawl, hence increasing taxes and increasing traffic gridlock, which is exactly what your residents are telling you not to do.

The numerous deputations made at the meeting on May 17 spoke to this loudly and clearly, and they were consistent. Residents are demanding greater densities, greater heights and less sprawl. We have a perfect site with the best access you have in all of Vaughan to public transportation, and you are wasting our site by capping it with a fraction of the density it should be getting. Voters in the City of Vaughan need to be apprised of this, and are entitled to know why.

It makes for more sound planning to allow 7X FSI along Yonge Street from the comer of Yonge & Steeles to at least Crestwood Road, within this three minute walking distance, keeping in line with what Markham is planning also on Yonge St., at Langstaff. The maximum intensification must be allowed throughout this entire stretch in order to maximize the number of people that can live and work here and have walking access to public transportation. To not allow the full 7X along Yonge Street from Steeles to Crestwood would deny the ability for more people to live near this major public transportation hub. To scale it down along Yonge Street, as you have now as one approaches Crestwood does not make any sense. Do you realize that by doing this, you are limiting drastically the intensification and allowing significantly less people to live there? Do you further realize this means more people have to live further away which means you are forcing them to use their cars because you are preventing them from living within that 5 minute walk of this major transportation hub?

We need to do what we can to ensure more people take public transportation and less people drive their cars. We can only achieve this if we provide for maximum intensification within the 5 minute perimeter.

I would also like to mention that we are fine to locate the building as close to Yonge Street as possible with open space along the rear portion of the land, but we must receive now both the same density as our neighbours adjacent to the South and the same building heights.

If we don't receive fair treatment - the same density and heights that our neighbours have - we have no option but to vigorously object, and we are forced to take the matter above the City of Vaughan.

Secondly, I have assembled a number of addresses both along Yonge Street and Bathurst Street where there are 20+ storey buildings, to illustrate that having 30 storey buildings with 7X coverage on our property at Yonge and Steeles is indeed appropriate.

There are two residential condos, one of 18 stories and one of 21 stories, located at 7330 Yonge Street, which is on the West side of Yonge Street, North of the CN Railway tracks, a couple of hundred metres North of the Roy Foss Auto Mall, these were built well over 20 years ago.

Then, directly across the street from Roy Foss is the new Liberty Development "World on Yonge" site, they are building numerous towers, the tallest standing at 32 stories. Certainly at the more prominent Yonge and Steeles corner block, where our lands are located, Vaughan can have at least the same number of stories, or more, than what is being built on the margins of Yonge & Steeles to the very North end, where the Liberty Development site is located.

Even at 8111 Yonge Street, approximately 3 KMs North, at Royal Orchard Road, in the heart of old Thomhill, there is an 18 storey tower amongst other buildings approximately all the same height, and these are likely 40 years or older.

On Bathurst Street, at Centre Street, in the midst of a residential area, you have at 7 North Park Drive a 22 storey building, and at 15 North Park Drive a 20 storey building. The area has 6 brand new towers all in the 20 storey range. North Park Drive is on the West side of Bathurst, one block (exactly 200m) north of Centre Street. And we understand that Liberty there also is now building a 30+ story tower. Bathurst is, by far, a secondary street in comparison to Yonge Street, and not to be compared with the prominence and commercial activity on Yonge, nor comparable to the Yonge & Steeles public transportation hub.

Then on the South side of Centre Street, between Centre and Clark Avenue, and just West of Bathurst, at 88 and 100 Promenade Circle, there are two brand new towers, each 20 stories. These also directly back onto existing neighbourhood homes – there is no phasing nor transitioning to the residential homes. Both Bathurst and Centre Street simply don't compare to Yonge Street. If they received a 22 storey building, then Yonge and Steeles should be allowed to go much, much higher.

This more than justifies that our lands, within the first block of the corner of Yonge and Steeles should get at least more than what you have allowed elsewhere at secondary locations where there are no plans for a subway, such as at Bathurst and Centre.

The City of Vaughan needs to take advantage of the density a commercial artery such as Yonge Street offers, and it's only appropriate that our lands at this pivotal juncture receive Vaughan's highest storey buildings with the greatest density.

Kindly reconsider your thoughts on planning for the Yonge & Steeles Gateway. Also consider that this is what your stakeholders have asked of you, along with the residents at Yonge and Steeles, and those in our community who came out to the workshops. Everyone involved is on the same page, however, we would also like for the City of Vaughan to support the wishes of your stakeholders, residents and community workshop participants.

We trust you have here sufficient examples and precedents to justify treating us fairly, especially when Vaughan is in need of locations where to place more units to keep up with your population growth.

Vaughan is going to have a subway located at Yonge and Steeles so we need the density there. There's no better place for residents to access public transit and the subway than right below their doorsteps. The more people we can accommodate by living and working at Yonge & Steeles, the less traffic we will have on our streets. Keep in mind, the current Yonge subway tracks terminate not at Finch, but at Cummer Avenue, which is 1km South of the Yonge & Steeles Gateway. We only need a 1KM extension to get our Subway.

The Vaughan Metropolitan Centre (located at Jane and Highway 7) has 7KMs of subway extension before it gets its subway, and there are no quarantees until it's completely built. Just because the Province has allocated the funding, do not assume that the Federal Government's priorities are the same as yours with regard to completing the Subway, and don't plan that it's guaranteed either as we have found years ago. Anything can happen with the Canadian economy where existing funding gets railroaded because of unexpected issues requiring the re-direction of committed funding, and then their priorities may change with respect to 7 KMs of Subway that needs to be built before there is any subway access at the Vaughan Metropolitan Centre. Please remember that the Eglinton line was also cancelled after all of the investment and costs incurred by the City of Toronto, inevitably that line wasn't even built. all of that money went to waste and instead the Sheppard line was built. Had you spoken with the planners of the day, they may well have guaranteed you that Eglinton would be completed. Please don't plan foolishly with all your eggs in one basket at the Vaughan Metropolitan Centre, minimize and reduce your risk significantly by allocating some of the needed units by intensifying more at Yonge & Steeles since we already have an existing abundance of public transportation. It's easier for us to get our mere 1KM of subway extension built to bring it to Steeles Avenue. The Vaughan Metropolitan Centre still has many years in which its subway plan can fall apart.

The third issue we have is that if Royal Palm Dr. is extended to connect to Woodward Avenue on the Markham side of Yonge St., you will be taking approximately half of the 66 feet you will require for road allowance from the width of our property. That's 33 ft of our width. Our property is narrow as it is already at approximately 110 feet wide.

If you take these 33 feet, you will render our land useless, we'll be left with less than 80 feet of width. We will have the new road as our Southern boundary, remaining will be a thin strip too narrow to build on, nor to plan for underground parking, and we have Petro Canada to our North, who has made it abundantly clear it wishes not to move and is happy as is. Basically, our property will get squeezed out because of this new road.

If this happens, we will have no option again but to object vigorously. We have proposed a seamless solution to the City which would provide you with the new road and at the same time allow us to keep our land width.

The lands adjacent to our South whose width is significantly greater than ours, at almost 200 feet wide, has the room to accommodate for the road to run along its Northern boundary, then as the road approaches Yonge St., it can slightly curve to align itself to Woodward. This allows you the road you would like, and us to salvage our property. It costs nothing to slightly re-align that road now in the plans the approximately 33 feet.

Please consider this, the alternative is we won't be able to build on our property and the residents of Vaughan are forced to place those lost units elsewhere on what is today likely farmland you are right now in a position to protect.

Thank you for your consideration. We are requesting to meet with you at your earliest convenience to review these items. Please contact me at the number above to identify a convenient time for you to meet with us.

Kindest regards.

Tel Matrundola

C.c.: Mark and Tony Pacitto, Tan-Mark Holdings

Gino Matrundola, Telast Properties

Enzo Minghella, VP & Spokesperson, Crestwood Road Ratepayers Association

Tel Matrundola 357 Bay Street, Suite 800 Toronto, Ontario M5H 2T7 T.416-203-0882 F.416-848-9938

e-mail: telm@pwbank.com

March 23, 2010

Paul Robinson Senior Policy Planner City of Vaughan 2141 Major Mackenzie Drive Vaughan, Ontario L6A 1T1

Dear Mr. Robinson:

We wish to add to the list of issues which were forwarded to you previously, some items following the recent public meeting you held on March 2 at the Uplands Golf & Ski Club.

We have heard numerous Vaughan residents complain about the City forcing high densities all across Vaughan. In fact, at the Metropolitan Centre's meeting held on March 8, a resident questioned the need for so much high density in areas such as Highway 400 & Major Mackenzie Dr., Jane St. & Rutherford, Martin Grove & Highway 7, Highway 7 & Weston Road, etc., while there will already be a significantly high density allocated at the Metropolitan Centre. Understandably, the resident was expressing the sentiment that it is wiser to add more residential high density in places where there is current public transportation and sufficiently planned future transportation, such as at the Yonge & Steeles Gateway and at the Metropolitan Centre. Furthermore, your consultants made it clear that you need numerous high density buildings in the same area for the new planning to work properly.

From a planning perspective, we see merits on what Vaughan residents are saying. In addition, when we look at the Town of Markham, where they are proposing 50 story buildings along with, what we have been told is, a FSI of approximately 7 times, at Yonge & Langstaff, as well as the development of the Hy & Zel's location at Yonge and Doncaster, which is less than one km North of Yonge & Steeles, where they approved over 30 floors, we have difficulties understanding the City of Vaughan's position for our property much closer to Yonge & Steeles. You are allocating a comparatively low 3.5 times coverage along the front of our property facing Yonge Street, and an extremely low and precedent setting 1.5X coverage for the back portion of our property. Please keep in mind, you are allocating 1.5 times coverage for our property at a depth of less than 100 metres from Yonge Street. Also keep in mind that you are allocating 5 times coverage for our neighbour directly to our South, our properties are adjacent, yet they are receiving 5 times and we are receiving 3.5 times and 1.5 times. This is unfair.

Furthermore, the City of Vaughan must be consistent with what the Town of Markham is doing along Yonge Street. To have a much lower density and lower heights only on the Vaughan side will send a very negative message.

It is our respectful conclusion, based on fundamental planning merits, that the City of Vaughan must provide the same density and heights to the land along Yonge Street from Steeles to Crestwood and that anything lower on our property would be unfair and irresponsible treatment towards us by the City of Vaughan. I would like to emphasize again that our property is within a 3 minute walk from the corner of Yonge & Steeles.

We also would like to bring to your attention the Yonge & Langstaff Development story that appeared on pages GT1 and GT4 in the Greater Toronto section of the Toronto Star on Saturday,

March 20, where renowned planning expert Peter Calthorpe and the other planning experts referred to in the story reiterate the 10 minute walking rule – that if a resident can access public transportation within a 10 minute walk, then they will use it, and this tapers off as the walk exceeds 10 minutes. Again, our property is within a 3 minute walk along Yonge Street from the corner of Yonge & Steeles (2 minutes if I do it personally, but generously allowing 50% more time for others to do it). Calthorpe and the other experts explain that intensification should take place within this "10 minute walking distance". A 10 minute walk from the corner of Yonge & Steeles would allow someone to reach beyond the development taking place at Yonge & Doncaster's Hy & Zel's location, where they are building over 30 floors. We're asking to be treated fairly, to be treated as those to the South of us and those to the North of us, all of whom are along Yonge Street.

Lastly, any land needed for new public roads should be taken from land owners where their future financial benefit will not be reduced because of that land allocation. We have suggested a possibility where the property to our South, which is much wider than ours, can sell the strip of land needed for the new road and still be in a position to get the benefits they currently have for future development, and this can be achieved without undermining our property. Since their land is very wide, they can afford to sell the width necessary and continue to be in an ideal position to develop, whereas, if we lose any width, we will be stymied so much so that the thin strip of land remaining will be rendered useless.

In regard to the park land needed, as we have already suggested, the City should really look at the existing park it has and improve it. In addition, the City can build a new park West of Yonge Street, on the South side of the rail line. You may also consider looking at the single homes where the land has not been severed, it is my understanding that they may be interested in selling.

Sincerely,

Tel Matrundola

cc. Tony & Mark Pacitto, Gino Matrundola

Yonge and Steeles Stakeholders c/o 77 Elgin Street Thornhill, Ontario L3T 1W7 Tel: 416-822-4859

Faxed and Mailed

June 22, 2009

Councillor Peter Meffe
Chairman, Official Plan Review Committee
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

Ward 5 Councillor, Alan Shefman City of Vaughan 2141 Major Mackenzie Drive Vaughan, Ontario L6A 1T1

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

Paul Robinson, Senior Planner, Policy Planning Department City of Vaughan 2141 Major Mackenzie Drive Vaughan, Ontario L6A 1T1

Pino DiMascio, Partner Urban Strategies Inc. 197 Spadina Avenue, Suite 600 Toronto, Ontario M5T 2C8

Dear Sirs:

This letter is being submitted by stakeholders and residents at the corner of Yonge Street and Steeles Avenue. We would like to address what was likely an unintentional inaccuracy, or typo, on the draft New Official Plan and specifically noted in your presentation entitled Yonge Street Study, City of Vaughan, Public Open House, March 30, 2009, also found at: http://www.city.vaughan.on.ca/newscentre/projects/pdf/2009%20March%2030%20Open%20House%20Presentation%20final%202.pdf.

The above 71 page presentation, as well as a number of the drawings for the corner of Yonge and Steeles on display on May 28 at the Vaughan Tomorrow Public Open House for the New Official Plan did not correctly represent some details discussed at the various planning meetings, consultations and workshops leading up to the culmination of these documents. Obviously, with

so many participants at your events, your staff has their hands full and can not be expected to get every detail documented perfectly. Hopefully this letter will clarify and resolve this.

What was agreed upon and supported at the numerous meetings, consultations and workshops was that there should be 30 storey buildings from the corner of Yonge and Steeles, North along Yonge up to Crestwood Road, then North of that point leading towards the railroad, the buildings would begin to lessen in intensity to approximately 15 to 20 storeys. Somehow, and contrary to what was unanimously supported by stakeholders and residents alike at the workshop tables for the Yonge and Steeles corner, the draft official plan summary drawings show only 25 storeys at the immediate corner, and then drop to 12 - 15 storeys within 200 metres of North of the corner, well before reaching Crestwood Road. In fact, the intention was to have 30 storeys along this strip of Yonge Street and have it lessen to 15 to 20 storeys North of Crestwood. Then West along Steeles there would be 30 storeys at the corner and then lessen to approximately 15 storeys next to St. Pascal's Church.

In this fashion, the heavy intensification is along the first 300 metres on Yonge, North of Steeles, as well as along Steeles, West of Yonge, up to the Honda lands and then lessen in intensity.

The summary ended up showing otherwise, likely due to a typo or misinterpretation, however, it does need to be adjusted to reflect what was intended for by the stakeholders and workshop participants. In one of the photos of the lego style building blocks representation that was prepared for this corner at the workshop, it shows various heights for different blocks. The staff at the table understood that we ran out of building blocks and that what was communicated was clearly understood; it was everyone's intention and it was agreed upon that the above said stretch would be made up exclusively of 30 storey buildings. We also agreed it would not be necessary to borrow lego building blocks from the next table studying another area, in order to illustrate what was already expressed, acknowledged and agreed upon. It is possible and likely that other staff who later viewed the photos, and who were not at our workshop table, and who may not have had the benefit of following our discussion, may have interpreted the plan differently. This obviously however, was not the intention, nor the case. It was simply the result of having insufficient building blocks available at the Yonge and Steeles corner workshop table. This letter is to provide clarification.

In addition, the Liberty Development project to the North, which is also North of Crestwood Road (the Ford Dealership) and North of Doncaster Road has been approved for buildings of similar storeys, hence, it would seem logical, obvious and for an appropriate flow along Yonge to have 30 storey buildings situated along the above noted lands. In addition, directly across Yonge Street near Steeles Avenue, the Town of Markham is planning for similar story buildings, therefore, it would seem odd that Vaughan would not want to display the same importance for its West side of Yonge Street as Markham for is planning for its East side of Yonge. As taxpayers on the Vaughan side, we believe the Vaughan side is just as important as the Markham side.

Furthermore, and in support of this, Pino DiMascio, the Partner at Urban Strategies Inc., and the consultant who has been leading this process on behalf of the City of Vaughan, explained at the meeting on May 28 that there is a shortfall of 6500 units which are required according to the Ontario Growth Plan parameters and in fact his and your challenge is to identify appropriate pockets to accommodate these extra units. Obviously, the simplest, most seamless and convenient location to accommodate for some of these very needed extra units would be to provide for 30 storey building heights along the full 300 metre stretch of Yonge from Steeles to

Crestwood. It would also seem a waste of capacity to build 15 storey buildings on Yonge Street which would be enveloped by taller 30 storey buildings to the immediate South and to the immediate North, at the Liberty site. Not to utilize the intensity available on Yonge Street would seem to be a waste of capacity as well as ignoring the most appropriate placement for needed units. Furthermore, please bear in mind that Yonge Street is the most commercially dense street in the GTA, and in the country, it is the longest street in the world, and the entrance gate into the City of Vaughan. This corner is available and we must take full advantage of this now that we have the opportunity to plan for Vaughan's future growth, notwithstanding the fact that it is also the desire of your participants at your workshops and consultations, and the stakeholders, to focus the intensity at this location. It simply makes good sense.

We also would like to point out that to consider 12 to 15 storeys along Yonge Street near Steeles Avenue would seem extremely odd against the back drop of having approved and built 30+ story buildings at Bathurst and Centre Streets, it would almost seem as though Vaughan is placing more importance for density along Bathurst, than along Yonge.

We trust the above clarifies the circumstances and would ask that the drawings be amended to reflect the intentions of your participants and stakeholders.

On another note, we also agreed that Woodward Avenue would not extend to the West side of Yonge Street, but rather have Crestwood Road connect to Grandview Avenue. As an alternative, and also discussed at the various workshops, there could be sufficient internal roadways constructed allowing for entry and exit inside the N/W corner of the Yonge and Steeles block to access underground parking, drop offs, etc. Extending Woodward to the West side of Yonge Street creates a new very thin strip of land on the West side of Yonge, North of Woodward where the Petro Canada Gas station is located. There will be insufficient land between the new Woodward Avenue and the gas station to build anything. There also seems to be no way of forcing the gas station to relocate, hence this must be addressed now, by not planning for Woodward to cross Yonge, and by solving the issue by planning for alternative and/or internal roadways. But the parcel of land to the South of the gas station can not be forced to be locked in between Woodward and the gas station and be stuck in limbo because there is no way to force the gas station to relocate. This would be absolutely reckless on the part of the planning process, we bring this extremely critical and very important detail to your attention so it doesn't fall between the cracks.

We had also discussed and agreed at the meetings that park space was necessary and that it would commence at a point at least 150 metres West of Yonge Street (between Steeles and Crestwood) and 100 metres North of Steeles, in a North-Westerly direction from that commencement point, to allow for development to occur along the main roads. This would allow for open space for people to congregate in the park land as well as have the park land serve as a green buffer between the buildings facing Yonge and Steeles and the residents living along Crestwood, and in the neighborhood. And to achieve the maximum park land possible, the intention was to allow for 30 storeys more intensive buildings on the foot prints where there would be development, providing for more open space on the ground.

You will also note from page 8 of the presentation that it was the desire of the participants not to bring Royal Palm Drive right through to Yonge Street to connect it to Woodward, but rather to wind Crestwood Road slightly to the North as it approaches Yonge Street in order to line it up with Grandview Avenue on the East side of Yonge. This, also would prevent the issue of

opening Woodward, and as stated above, an internal community street could be created to allow for the passage of drop offs, etc into the new development area.

We are submitting this letter so that our position is clearly stated, however, we also request to meet with you at your earliest convenience so that we can review these points with you to ensure the necessary amendments to the Draft Official Plan are made. We kindly request to meet with you before July 1.

Most of us have been stakeholders in this area for approximately 40 years, so this is of tremendous importance to us. It is also critical to the success of Yonge and Steeles, this is the single chance we collectively have to create Vaughan's most important corner which represents Toronto's gateway into York Region, Vaughan and Markham. This is clearly the most critical entry point into the Region, and we are obligated to do what is necessary to achieve something special at this pivotal juncture.

Sincerely,

Tel Matrundola

On behalf of Yonge & Steeles Stakeholders

HUMPHRIES PLANNING GROUP INC.

October 5, 2010 HPGI File #10236

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

Attn: Mr. Mauro Peverini

Project Lead, City of Vaughan Official Plan Review

Vaughan Adopted Official Plan - Land Use Schedule 13P Mapping Error

77 Woodstream Boulevard - La Primavera Banquet Hall

Further to our discussion this morning, on behalf of La Primavera Banquet Hall we are confirming that a mapping error has occurred as related to 77 Woodstream site. The City adopted staff recommendation to designate the site for Mid-Rise Mixed Use. Review of the mapping as adopted by the City indicates that the land use designation as applied to the site does not include the entirety of the landholding. From our discussion, we understand that the City will correct this error.

Should you have any questions please contact the undersigned at your earliest convenience.

Yours truly,

Re:

HUMHRIES PLANNING GROUP INC.

Rosemarie L. Humphries BA, MCIP, RPP

President

CC. La Primavera Banquet Hall

Melissa Rossi, Vaughan Policy Planning

216 Chrislea Road Suite 103 Vaughan, ON L4L 8S5

T: 905-264-7678 F: 905-264-8073

Chong, Clement

From:

Rossi, Melissa

Sent:

Tuesday, June 15, 2010 9:09 AM

To:

Chong, Clement

Cc:

Peverini, Mauro

Subject:

FW: Vaughan Tomorrow: Comments from Sarno Holdings Corp...

Attachments: Sarno Holdings Zoning Map.pdf

Clement, please catalogue

Melissa Rossi, MES (PI)

Policy Planner, Policy Planning & Urban Design City of Vaughan, 2141 Major Mackenzie Drive Vaughan ON L6A 1T1 Email: Melissa.Rossi@Vaughan.ca www.yaughantomorrow,ca

From: Maurizio Rogato [mailto:mrogato@solmar.ca]

Sent: Monday, June 14, 2010 5:11 PM

To: Rossi, Melissa

Subject: Vaughan Tomorrow: Comments from Sarno Holdings Corp...

Melissa,

The following are comments regarding Vaughan's new Official Plan being submitted on behalf of Sarno Holdings Corp (Sarno).

Sarno is the owner of lands located south of Highway 7, east of Islington Avenue, west of Bruce Street and legally described as Part of Lot 24, Registrar's Compiled Plan No. 9831, City of Vaughan, Regional Municipality of York (See Attached Zoning Map).

It appears the subject lands are proposed (within Volume 1 of Proposed Official Plan) as 'Natural Areas' and with a portion of 'Low-Rise Residential'.

Sarno is requesting clarification of the proposed designations over the subject lands from the City of Vaughan, as it is difficult to confirm the same without detailed mapping.

Should the designations be as stated above, Sarno objects to such designations and believes the subject lands are suitable for 'High-Rise Residential' development and can assist the City in achieving its intensification targets as required by the Region of York Official Plan and Provincial policy(s).

Thank you for providing the opportunity to comment on the Vaughan Official Plan.

Please accept this correspondence as formal comment and request to be informed of a Decision regarding the proposed Official Plan.

Thanks Again,

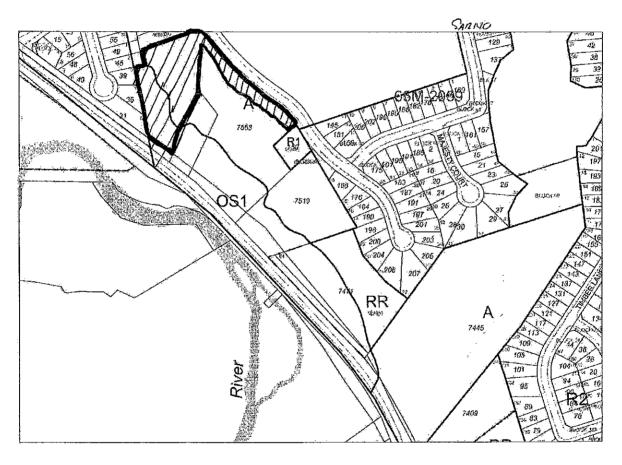
Maurizio Rogato, B.U.R.Pl., M.C.I.P., R.P.P.



122 Romina Drive, Concord, Ontario L4K 4Z7 Tel: (905) 850-3161 EXT. 230 Fax: (905) 660-4002 www.solmar.ca

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- AGRICULTUNAL - OS I

DESIGNATION = OPEN SPACE



July 26, 2011 WCGI File No. 4961

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

ATTENTION: Diana Birchall, Director of Policy Planning

Dear Ms. Birchall:

Re: City of Vaughan Official Plan 2010 and the Gladys Smith Estate Property

3400 Teston Road

Vaughan

This submission is further to our prior correspondence and expressed concerns with respect to the designation of the above property in the City's Official Plan 2010 (Volume 1 of 2).

A full package of our submissions is attached. We particularly direct you to our June 14, 2010 correspondence related to Section 3.2.3.4 of the City's new Official Plan. Recently we met on July 7, 2011 with your new planning commissioner, John McKenzie, and former commissioner, John Zipay, to discuss our issue with the large scale of 30 m buffers proposed and small scale development sites.

As a result, it was felt that further discussions should take place. Also, we did discuss the matter on July 25th, 2011 with the City's Policy Manager, Roy McQuillin.

On this basis, we are requesting a meeting in the near future. We will call to arrange a time and place.

Yours truly,

Weston Consulting Group Inc.

Per:

Peter J. Smith, MCD, MCIP, RPP

Senior Associate

POLICY PLANNING/URBAN DESIGN

JUL 2 & 2011

HOUSE TO INITIAL

STRUNG

Since 1981

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201 Millway Avenue, Unit 19, Vaughan, Ontario, L4K 5K8

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1660 North Service Road East, Suite 114,

Oakville, Ontario, L6H 7G3 Tel. 905-844-8749 Page 2 July 26, 2011

Cc John MacKenzie, Commissioner of Planning, City of Vaughan John Zipay, Consultant/Former Commissioner of Planning, City of Vaughan Roy McQuillin, Policy Manager, City of Vaughan Heather Konefat/Augustine Ko, Planning Department, Region of York Gladys Smith Estate, c/o Dan Smith, P.O.A.



Weston Consulting Group Inc.

'Land Use Planning Through Experience and Innovation'

June 14, 2010

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

Dear Sir/Madam:

Re: Vaughan's New Official Plan - File OP. 25.1.

There are a number of properties in the City of Vaughan that have lands designated in part as Core (Natural) Feature, with the remaining lands as tableland for development.

These lands are subject to Section 3.2.3.4 of the draft Official Plan (Part 1) that addresses setbacks for a vegetation protection zone of 10 metres, or 30 metres abutting lands in the Oak Ridges Moraine or the Greenbelt. These protection zones can be a significant and substantial portion of the tableland area where new development is contemplated in the proposed Official Plan (eg. Block 27, 44 and the Highway400 Employment Corridor OPA 637).

It is our request that the City consider adding policies (g) and (h) to Section 3.2.3.4 that allow some flexibility to the 10 metre and 30 metre buffers that say the following:

- (g) Any buffer, vegetation protection zone can be reduced based upon the appropriate natural scientific studies and investigations.
- (h) That the final buffer protection zones determined in (a) to (g) above be compensated through purchase or additional public development coverage applied to the remaining tableland area.

We would be happy to discuss this matter with City staff and consultants.

Finally, please provide us with Notice of Decision with respect to the City's Official Plan (Volumes 1 and 2).

Yours truly,

Peter Smith, MCD, MCIP, RPP Senior Associate

Cc: Mauro Peverini, Acting Manager of Planning Policy, City of Vaughan

Since 1981



RECEIVED
JUL 0 8 2010

The City of Vaughan 2141 Major Mackenzie Drive Vaughan, Ontario Canada L6A 1T1 Tel (905) 832-2281

June 30, 2010

Mr. Peter Smith Weston Consulting Group Inc. 201 Millway Avenue Unit 19, Vaughan, Ontario L4K 5K8

Dear Mr. Smith

RE: Vaughan's New Official Plan

In response to your letter of June 14, 2010, respecting a number of properties within the City of Vaughan that have lands designated as Core (Natural) Features and subject to Section 3.2.3.4 of the draft Official Plan (Part 1), we would advise as follows:

In order for the City to provide comments we need to know the context within which your comments were made and require more information in order to provide a response. Please indicate who you are representing, the related concerns and the lands to which they apply.

Sincerely

Diana Birchall

Director of Policy Planning.

/ct



'Land Use Planning Through Experience and Innovation'

June 7, 2010 File No. 4961

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

Dear Sir/Madam:

Re:

Gladys N. Smith 3400 Teston Road City File: OP.25.1

Vaughan's New Official Plan

We represent Gladys N. Smith, the owner of approximately 4.0 hectares (± 10.0 acres) located at the northwest corner of Teston Road and Highway 400 (see Schedule 1 attached).

The property is immediately north of Block 33 West and the Employment Area designation-High Performance Employment Commercial (see Schedule 2 attached).

The property is within the Highway 400 North Employment Lands as outlined on Schedule 14 of the new Official Plan, and is within OPA 637 (see Schedule 3 attached).

The bulk of the lands are valley lands. However, a portion of the lands are tableland, which has been extended through surplus lands following the Teston Road/Highway 400 interchange/Cityview Boulevard highway improvements.

Schedules 1, 13 and 13I of the new Official Plan shows the entire property as Natural Area and Countryside, or Natural Area.

We request that the tableland portion of the property be designated Prestige Employment (Schedules 13 and 13I) and Employment (Schedule 1). We believe the intent was to have these lands for employment purposes. The highest and best use of the tableland area is for highway commercial purposes in our opinion due to its access, size, location and land use context with the employment uses to the south, north and east along the Highway 400 corridor.

201 Millway Avenue, Unit 19, Vaughan, Ontario, L4K 5K8

1981 Tel: (905) 738-8080

Since

1-800-363-3558

Fax: (905) 738-6637

Yours truly,

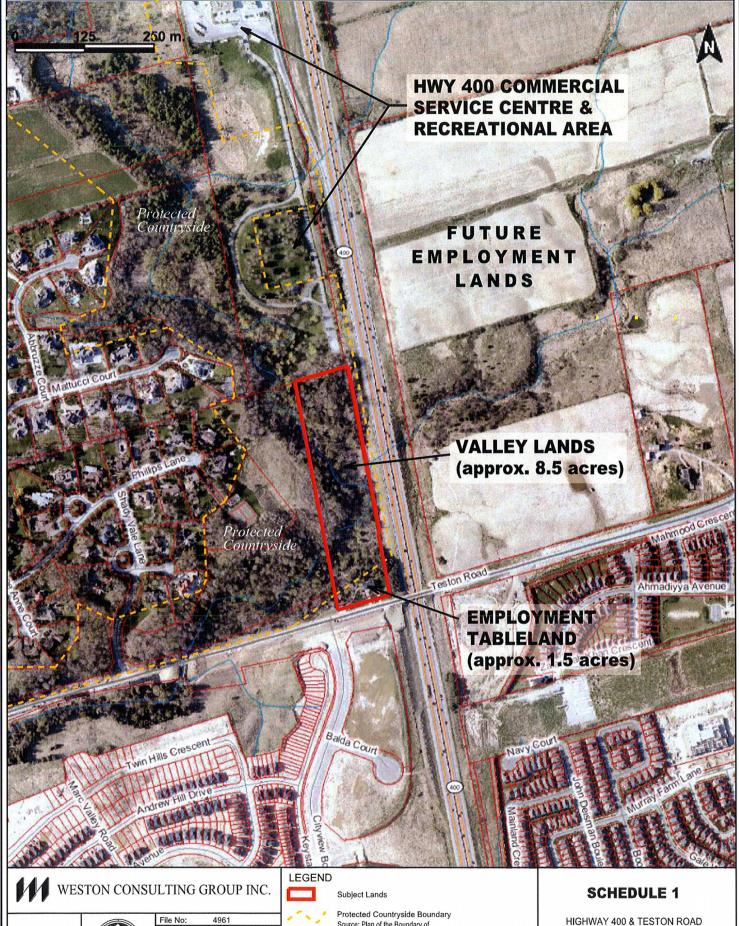
Peter Smith, MCD, MCIP, RPP Senior Associate

Cc:

Dan Smith

Paul Scargall, Solicitor

Mauro Peverini, Acting Manager of Planning Policy, City of Vaughan





Date Drawn: 25 AUG 09 Drawn By: Planner: Scale: See Scale Bar CAD: 4961/airphoto/schedule 1 airphoto Oct 20_10.dgn

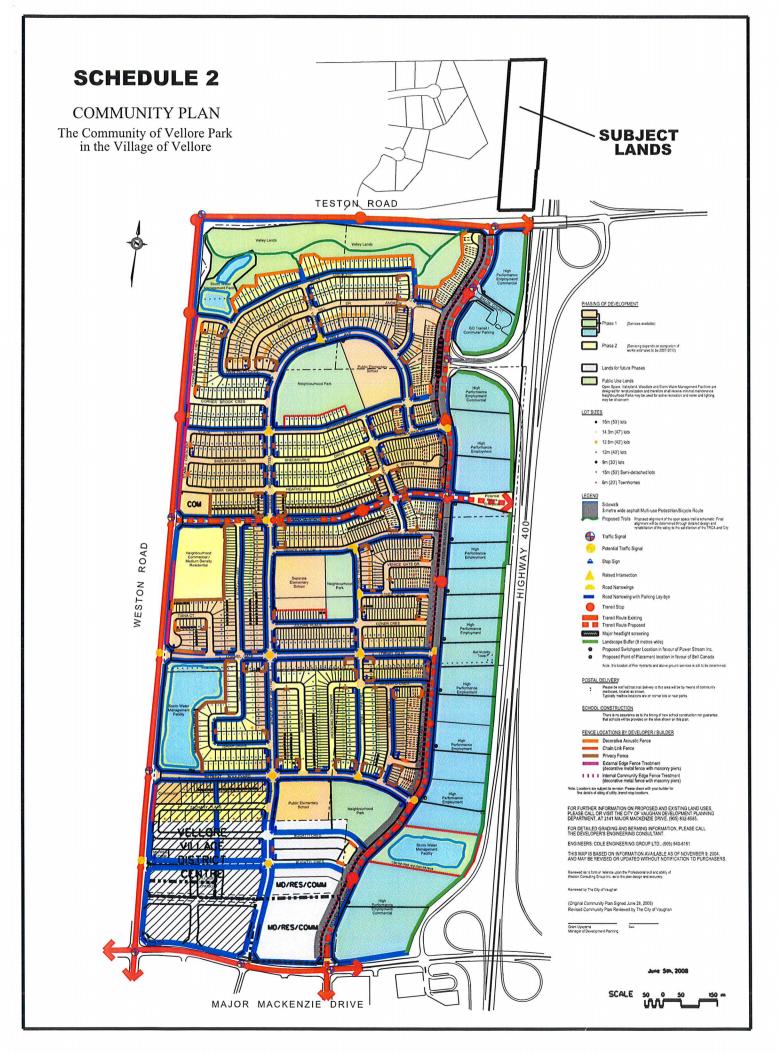


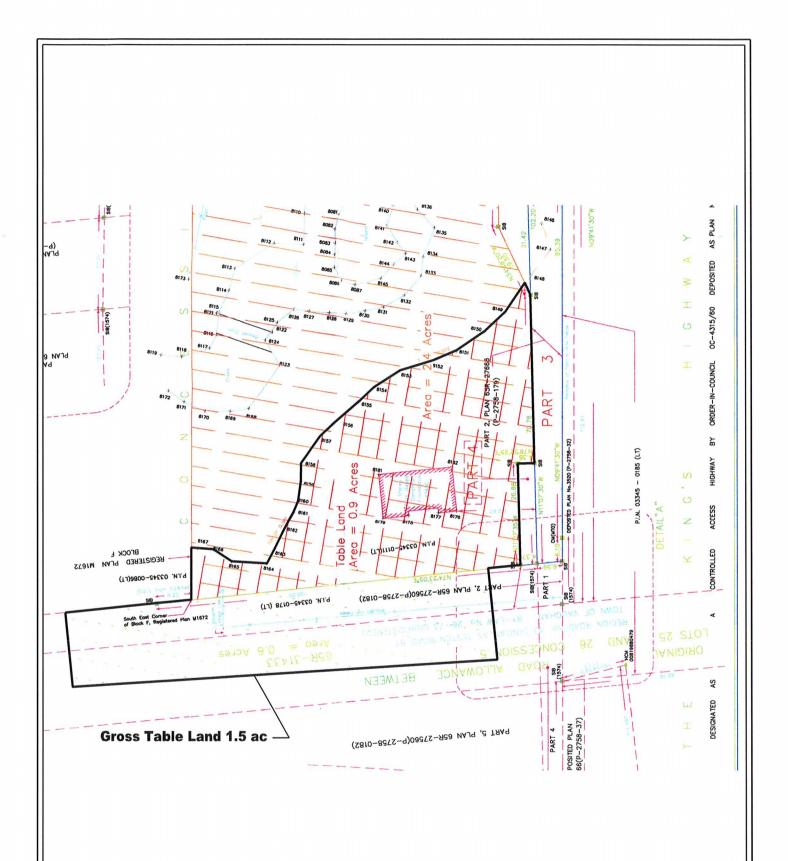
Source: Plan of the Boundary of The Protected Countryside , Sheet 22 Greenbelt Mapping Website

Source of Air Photograph: York Region Geomatics Date of Photograph: Spring 2007

HIGHWAY 400 & TESTON ROAD CITY OF VAUGHAN

REGIONAL MUNICIPALITY OF YORK







WESTON CONSULTING GROUP INC.



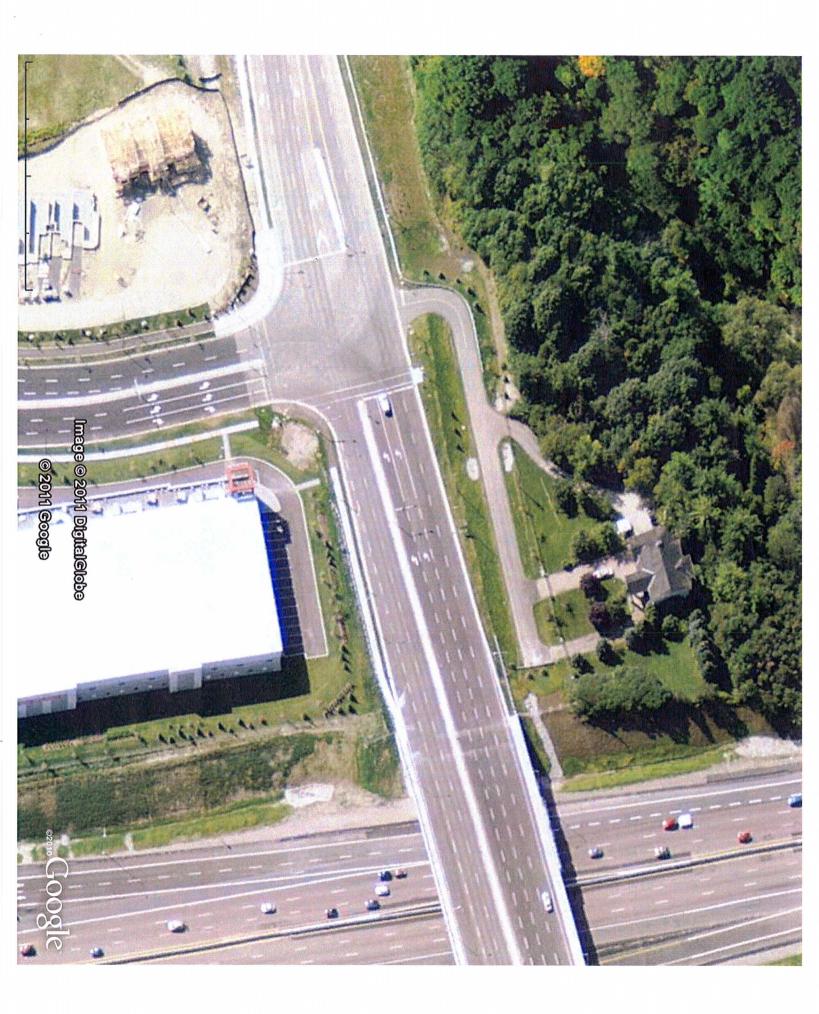
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	Planner:	ps
	Scale:	not to scale
31		ss table land.dan

LEGEND

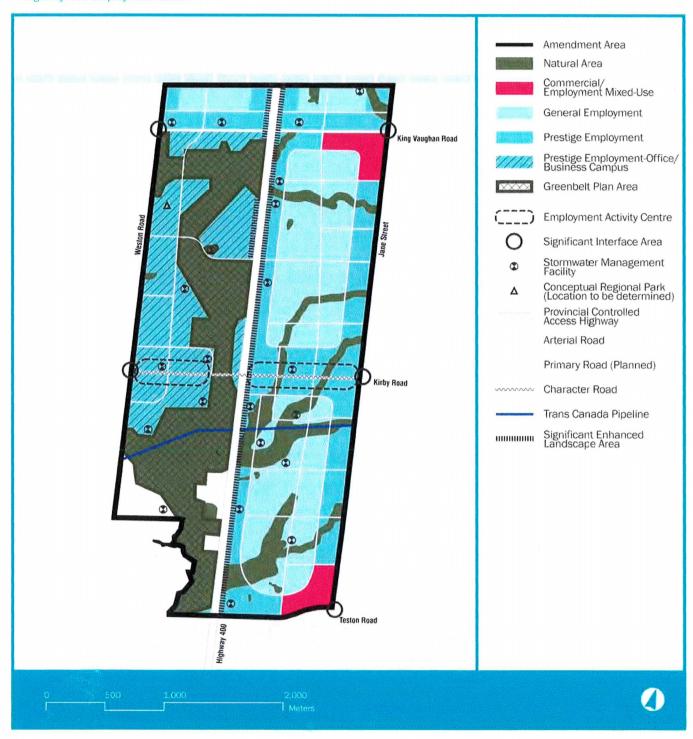
AREA OF GROSS TABLE LAND

Gross Table Land

Gladys Smith Property CITY OF VAUGHAN REGIONAL MUNICIPALITY OF YORK



▼ Map 11.4.A Highway 400 Employment Lands



It is the policy of Council:

- 3.2.3.1. To protect and enhance the Natural Heritage Network, as identified on Schedule 2, by:
 - a. restricting development within the Natural Heritage Network in accordance with the policies of this Plan;
 - b. seeking opportunities to expand and better link the Natural Heritage Network;
 - c. seeking the dedication of **Core Features** and their associated minimum vegetation protection zones through the development approval process to an appropriate public agency at no public expense; and,
 - d. securing new natural and open space linkages for improved connectivity of the Natural Heritage Network through the development approvals process, conservation easements, donations or purchases.
- 3.2.3.2. That identification of elements comprising the Natural Heritage Network is an ongoing process and as such the Natural Heritage Network identified on Schedule 2 is based on the best information available. Schedule 2 may not identify all the natural heritage features in Vaughan. The precise limits of mapped natural heritage features, and any additions to the mapped network, will be determined through appropriate study undertaken in consultation with the Toronto and Region Conservation Authority and the Province. This may occur on a site-by-site basis through the development process or through studies carried out by the City, Region, Toronto and Region Conservation Authority or other government agencies.
- 3.2.3.3. That any development lawfully existing within the Natural Heritage Network on the date this Plan is approved is permitted to remain. Minor alterations or additions to such existing development are permitted subject to the policies of this Plan and which may include consultation with the Toronto and Region Conservation Authority, York Region, or Province as required.

Core Features

- 3.2.3.4. That **Core Features**, as identified on Schedule 2, provide critical ecosystem functions, and consist of the following natural heritage components and their minimum vegetation protection zones:
 - a. valley and stream corridors, including provincially significant valleys, with a minimum 10 metre vegetation protection zone, or a 30 metre vegetation protection

- zone for those *valley and stream corridors* within the Oak Ridges Moraine and Greenbelt Plan Areas, measured from the greater extent of the top of stable slope, meander belt, or regulatory floodplain;
- b. wetlands, including those identified as locally or provincially significant, with a minimum 30 metre vegetation protection zone;
- woodlands including those identified as locally or provincially significant, with a
 minimum 10 metre vegetation protection zone or a 30 metre vegetation protection
 zone for those woodlands within the Oak Ridges Moraine and Greenbelt Plan
 Areas;
- d. significant wildlife habitat and significant habitat of endangered and threatened species;
- e. fish habitat including a minimum vegetation protection zone of 15 metres or 30 metres depending on the thermal regime of the watercourse; and,
- f. Environmentally Significant Areas and Areas of Natural and Scientific Interest.
- 3.2.3.5. That specific requirements related to the protection and enhancement of the various elements of **Core Features** are included in Section 3.3. of this Plan.
- 3.2.3.6. That within the boundaries of the provincial Greenbelt Plan area and the Oak Ridges Moraine Conservation Plan area, **Core Features**, as identified on Schedule 2, represent the key natural heritage and key hydrologic features as defined by those Provincial Plans.
- 3.2.3.7. That new development and/or site alteration in **Core Features** are prohibited except for the following:
 - a. natural area management for the purposes of maintaining and enhancing the functions associated with **Core Features**;
 - b. flood or erosion control projects, where such projects are necessary and deemed in the public interest after all alternatives have been considered, and where such projects will not result in a negative impact on the **Core Features** and will not have a negative impact on the ecosystem function;
 - c. transportation, infrastructure and utilities, where such projects are necessary and deemed in the public interest after all alternatives have been considered, and where such projects will minimize negative impacts on the **Core Features** and measures shall be identified to maintain habitat area and enhance overall ecosystem function; and,

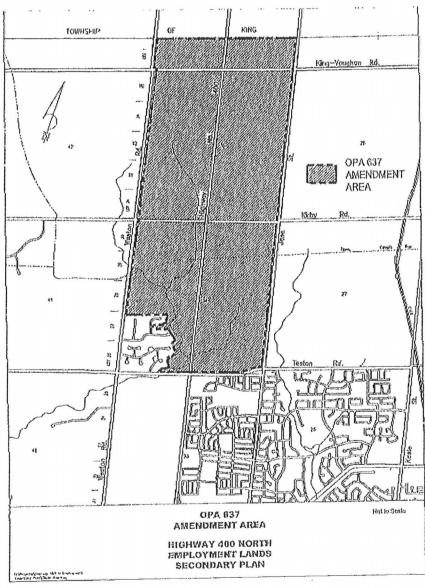
GLADYS SMITH PROPERTY ±10.0 AC (±4.0 HA) 3400 TESTON ROAD, CITY OF VAUGHAN

Key Features and Attributes

- 1. ±1.5 ac (±0.6 ha) Tableland for development ±8.5 ac (±3.4 ha) Valley Lands
- 2. Frontage on Teston Road: ±368 ft. (±112 m)
- 3. Vehicular and pedestrian controlled access through light-controlled driveway intersection with Teston Road and Cityview Boulevard.
- 4. Cityview Boulevard is a major city street, accessing to Vellore Park Residential and Prestige Employment areas, Canada's Wonderland, Power Stream headquarters and City Hall via Major Mackenzie Drive. The site has direct and immediate access to Highway 400 north and south.
- 5. Smith property tableland area is fully serviceable with municipal sanitary sewage and water supply, as well as all utilities (gas, telephone, cable and hydro).
- 6. Development Potential:
 - (i) Tableland is designated in the new approved Region of York Official Plan for urban serviced development, and
 - (ii) within the new, and recently adopted, Vaughan Official Plan for Prestige Employment purposes as part of the Highway 400 North Employment Area one of the primary future employment areas of the City of Vaughan. A Gateway to the City from the north.
 - (iii) Prestige Employment Areas permit a wide range of industrial, office, business and civic uses. Permitted buildings include:
 - a. employment industrial buildings
 - b. low-rise buildings (up to 5 stories)
 - c. mid-rise buildings (up to 12 stories)
 - d. gas stations
- 7. The site is a primary opportunity for a smaller prestige employment individual user.

OFFICIAL PLAN AMENDMENT NO. 637 OF THE CITY OF VAUGHAN VAUGHAN 400 NORTH EMPLOYMENT SECONDARY PLAN AREA O.M.B. CASE & FILE No.; PL100850

The lands subject to Official Plan Amendment No. 637 are bounded on the north by Vaughan's boundary with the Township of King; Jane Street on the east; Weston Road on the west; and Teston Road on the south excluding the estate residential development located in the northeast quadrant of the Intersection of Teston and Weston Roads. OPA No. 637 amends Official Plan Amendments No. 450 and 600 to redesignate the subject lands to permit employment uses based on OPA No. 450 (Employment Area Growth and Management Plan), subject to site specific policies. It designates the lands Prestige Area and General Employment Area. The amendment addresses specific land uses including: Office/Business Campus development; Service Nodes; Employment Area Activity Centres; and Mixed Use Areas - Employment/Commercial. Policies pertaining to Urban Design, transportation and servicing are also set out in the plan. OPA No. 637 was adopted by the City of Vaughan on September 11, 2006 and was subsequently appealed to the Ontario Municipal Board.

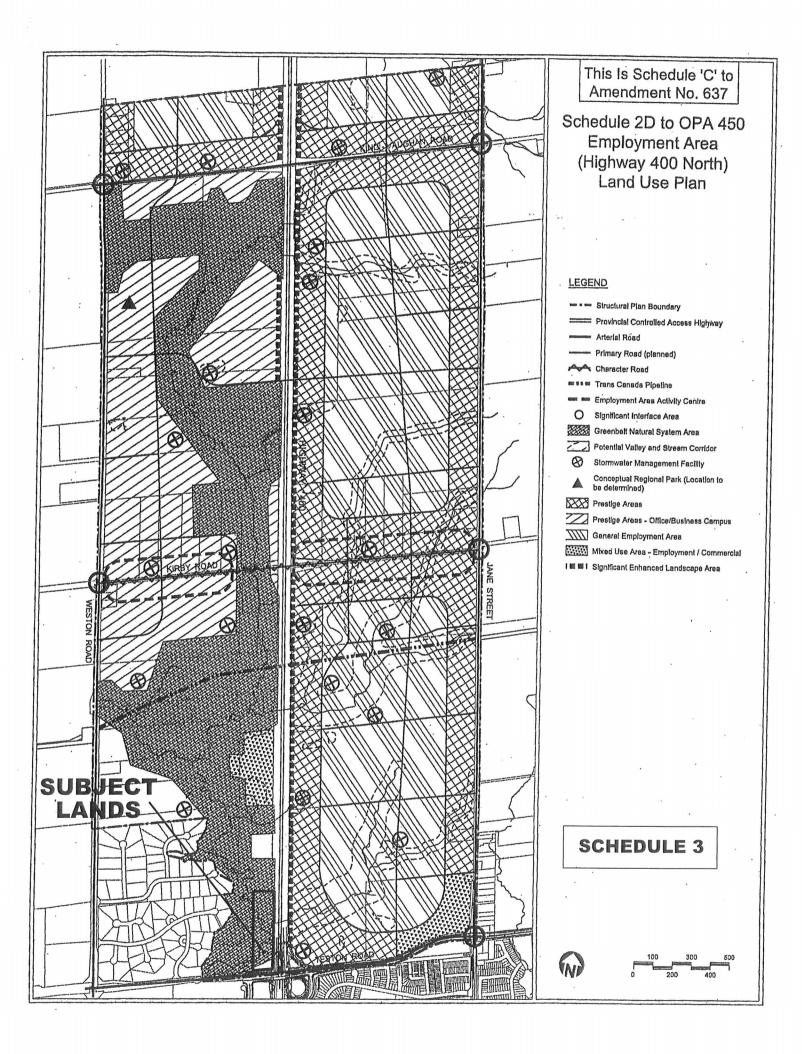


PHONE 905-895-5600

FAX 905-895-7127

January 12, 2011

TLE 11-5543



Goodmans

Barristers & Solicitors

Bay Adelaide Centre 333 Bay Street, Suite 3400 Toronto, Ontario M5H 2S7

Telephone: 416.979.2211 Facsimile: 416.979.1234 goodmans.ca

Direct Line: 416.597.4299 dbronskill@goodmans.ca

August 3, 2011

Our File No.: 11-1792

Via Email

John MacKenzie, Commissioner of Planning City of Vaughan City Hall 2141 Major Mackenzie Drive, Level 2 Vaughan, ON L6A 1T1

Dear Mr. MacKenzie:

Re: Draft Plan of Subdivision 19T-90018 (Part of Lot 9 in Concession IX) City of Vaughan Official Plan

Further to our meeting on July 14, 2011, we are writing to confirm our client's position regarding the proposed designation of its lands, as shown on the maps attached as Schedule "A" (the "Lands"), in the new City of Vaughan Official Plan.

Historical Context

The historical planning context for the Lands is important. Official Plan Amendment 250 designated all of the Lands as "Employment". However, when the City enacted Official Plan Amendment 450 to replace OPA 250, the City inappropriately designated a portion of the Lands for open space purposes. As a result of our client's objection to this designation, the Minister of Municipal Affairs and Housing deferred its decision regarding the application of OPA 450 to the Lands (known as Deferral #5) to allow our client and the City to work towards a resolution.

As explained at our meeting, the proposed designation in OPA 450 was the result of a portion of the Lands being located in the fill-regulated area of the Toronto and Region Conservation Authority ("TRCA"). At that time, our clients had applied for a fill permit, pursuant to the applicable regulation, which application was refused. Subsequent appeals were also unsuccessful. However, Deferral #5 remains in place and OPA 450 does not yet apply to the Lands.

New Vaughan Official Plan

The new Vaughan Official Plan would inappropriately designate a portion of the Lands as "Natural Areas". During the processing of the new Vaughan Official Plan, our client objected to this proposed inappropriate designation in written representations dated June 9, 2010 and July

Goodmans

28, 2010, attached hereto as Schedule "B". The response from the City, attached hereto as Schedule "C", indicated that:

- the Region of York Official Plan had, in some way, designated the Lands as Regionally-Significant Woodlands; and,
- 2. there is an alleged stream channel on the Lands.

For the reasons outlined below, as indicated to you at our meeting, the response from the City is simply not accurate.

The Lands Are Not Designated as Regionally-Significant Woodlands

As indicated on the maps from the Region's Official Plan, attached hereto as Schedule "D", no part of the Lands is designated as Regionally-Significant Woodlands or included within the Regional Greenlands System.

The Alleged Stream Channel Has No Significance

The Province undertook an environmental assessment regarding the extension of Highway 427. The final alignment for the extension will traverse the Lands. This alignment is shown on the map attached hereto as Schedule "E".

As part of that process, the Province completed an environmental assessment report. As noted in the excerpts attached hereto as Schedule "F", the Province identified the swale on the Lands (Rain-2), which had formed the basis for the proposed open space designation in OPA 450, but determined the following regarding the alleged significance of the swale:

- 1. It does not support fish habitat within the right-of-way limits. Further, direct fish use is not possible given the presence of permanent in-stream barriers, lack of channel definition and/or ephemeral flows. It provides little in terms of contributing habitat to downstream fish habitat as it represents a highly modified system that generally lacks in stream (aquatic) vegetation and riparian features. Even seasonal flow connectivity is very limited by agricultural practices and the presence of enclosed reaches or natural/man-made barriers. (7-69)
- 2. The swale has no formal channel with no drainage feature observed in the field. The Province identified no watercourse feature. (7-72)
- 3. Table 7-6 identifies that the drainage area of the swale will <u>not</u> be preserved with a culvert but, instead, the swale will be filled in and directed directly to another watercourse (Rainbow Creek), which eliminates even the alleged drainage function of the swale. (7-72)

Goodmans

4. Table 6-4 identifies the crossings for the extension of Highway 427. The swale is identified with no crossing feature and, instead, will be diverted. (6-27, 6-28)

The New Vaughan Official Plan Should Be Modified

Given all of the above, our client submits it is clear that the mapping in the new Vaughan Official Plan should be modified to designate all of the Lands as "Prestigious Employment". This is consistent with the written representations made by our client during the processing of the new Vaughan Official Plan, while the response from the City Staff is simply not accurate.

We understand that the City will be holding a Council meeting in September to address modifications to the new Vaughan Official Plan. We trust that this modification will form part of that report.

If you require any additional information, please do not hesitate to contact us.

Yours very truly,

Goodmans LLP

Ansiel

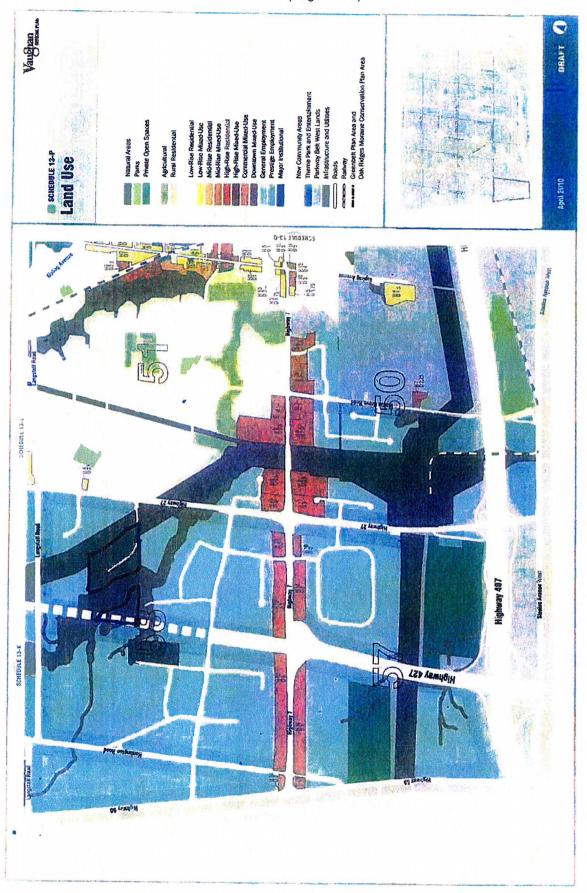
David Bronskill

DJB/

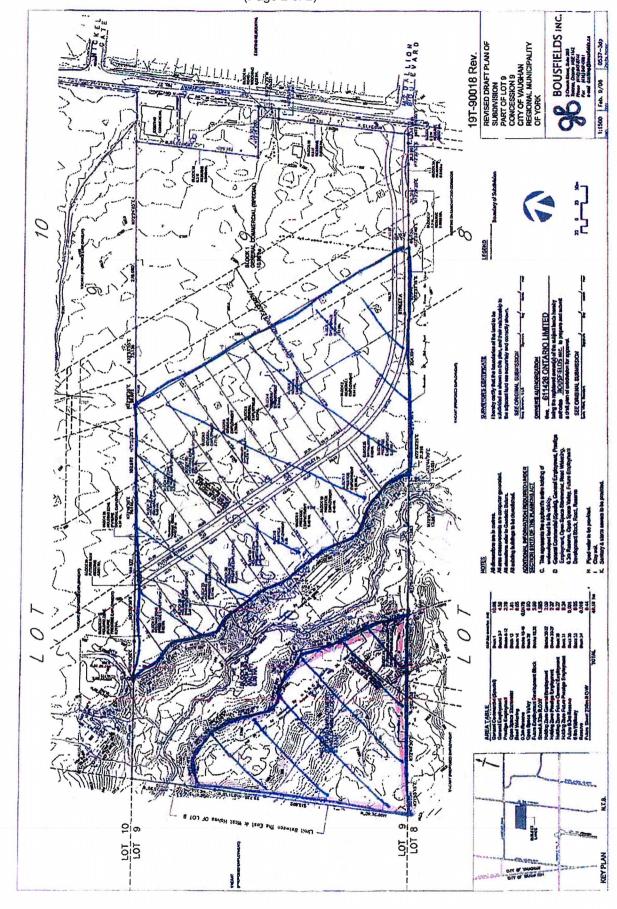
cc: Client

\5992028

Schedule "A" (Page 1 of 2)



= Employment.



Schedule "B" (Page 1 of 2)

Cam Milani

From:

Cam Milani [cammilani@bellnet.ca]

Sent:

July-28-10 11:23 AM 'iohn.zipay@vaughan.ca'

Cc:

'Mauro.Peverini@vaughan.ca'; 'awinkler@urbanstrategies.com'; 'Clerks@vaughan.ca'

Subject:

RE: City Offical Plan "Planning for Tomorrow"

Attachments:

img-6091246-0001.pdf

Mr, Abrams,

Please include this email and attachments as comments to Committee of the Whole for today.

We have reviewed your comments regarding our email below. The feature you describe west of the valley is of no significance as the proposed Hwy 427 will almost completely fill it in. Further, there is absolutely no vegetation on the lands as it is farmed. The lands should be designated fully industrial in the exact manner as the lands to the east of the valley without any identification of environmental features or need for TRCA fill approval. The City planner Andrea Seca has already stated that the lands are developable for full industrial purposes during our assessment review hearings.

Please amend the map to show the lands west of the valley as fully industrial with no environmental designations whatsoever as outlined in the email below.

Yours Truly, Cam Milani 611428 Ontario Limited

From: Cam Milani [mailto:cammilani@bellnet.ca]

Sent: June-09-10 12:58 PM To: 'john.zipay@vaughan.ca'

Cc: 'Mauro.Peverini@vaughan.ca'; 'awinkler@urbanstrategies.com'; 'Clerks@vaughan.ca'

Subject: City Offical Plan "Planning for Tomorrow"

Please include these as our comments on the above noted process, official plans and related studies.

We are the developers and owners of the draft plan 19T-90018 knows as 611428 Ontario Limited and Milani Blvd. The current draft Official Plan outlines our lands as "Utility Corridor" of some sort. Our lands have been approved by OPA 450 for employment uses as well as draft plan and zoning by-law approved for the same uses.

The mapping on the current OP does not reflect the proper land uses. Most notably, we own approximately 15 acres on the west side of rainbow creek which is currently identified by some environmental features such as "Core" or valley and seems to suggest some sort of limitation on development rights. The lands should be shown in Blue on the attached mapping. There is no vegetation whatsoever and the lands are currently farmed.

The attached Draft Plan should be properly reflected in the City OP. All lands outlined on the attached mapping should be Blue. Additionally, any environmental features on the 15 acres outlined in pink should be deleted.

Cam Milani 611428 Ontario Limited

11333 Dufferin St. PO Box 663

Schedule "B" (Page 2 of 2)

Maple, ON L6A 1S5 Phone (905) 417-9591 Fax (905) 417-9034

Schedule "C" (Page 1 of 2)

	(Page 1 of 2)				
Recommendation		1) That Schedule 13-P be amended to designate the lands between Highway 27 and the valley as "General Employment". To recognize the existing zoning and Registered Plan of Subdivision. 2) No change is recommended.			
Comment	It is also a key objective of the Plan to provide direction on how to achieve a consistent, high quality public realm and built form through good urban design. However, Policy 9.2.1.2 provides some flexibility to vary the building type requirements.	1) The lands between Highway 27 and the valley are subject to Registered Plan of Subdivision 65M-3966. The lands are also zoned EM1 and EM3 by to site-specific Exception 9(1253). It is appropriate to designate these lands as "General Employment" consistent with the existing development. 2) The lands west of the valley are currently identified as deferral area #5 in OPA No.450, they are currently zoned A Agricultural, are located within the Highway 427 Transportation Corridor EA Route Alternatives. The lands are also subject to TRCA approvals. The subject lands are designated Infrastructure and Utilities in the draft Official Plan. The subject lands located generally			
Issue		The letter addresses two requirements: 1) That approved draft Plan of Subdivision 19T-90018 be recognized. The lands are designated as a "Infrastructure and Utilities" in Schedule 13-P. 2) The lands west of the valley be designated for Employment Uses.			
Submission		DATE: June 09, 2010 RESPONDENT: Cam Milani LOCATION: Milani Blvd.			
Item		45.			

Attachment 1
Part B: Summary of Respondents' Requests/Concerns and Staff Comments and Recommendations

Schedule "C" (Page 2 of 2)

No change is recommended. Recommendation Part B: Summary of Respondents' Requests/Concerns and Staff Comments and Recommendations and stream channel is a drainage feature delivery of municipal services to new and Regional Road 27 appear to include part included in the TRCA generic regulation reflect the appropriate boundaries of the existing developments. New community secondary plans will be implemented in more detail by Block Plans (S. 10.1.1.5) which will address: Traffic management transit stop locations; and the provision provision of transit, walking and cycling and connections to City-wide networks; of public transit networks; the provision Regionally Significant woodlands. To the west of the defined valley corridor community and human services. The of a defined valley corridor as well as The draft Official Plan recognizes the of municipal services and stormwater south of Langstaff Road and west of limit. Schedule 2 will be modified to areas will generally be subject to the transportation network, including the need for the timely and economical expected volumes, road needs and preparation of secondary plans (S. 10.1.1.1), which will address: The servicing; and the provision of natural features. Comment Believe infrastructure in subject area must be improved before consideration of expanding the urban boundary. essi Rimwood Estates RESPONDENT: northeast corner of Weston Road June 14, 2010 Subdivision at Submission Homeowners LOCATION: Association and Teston DATE: tem (155

Attachment 1

5 2.5 Lake Simcoe COUNTY OF SIMCOE Schedule "D" (Page 1 of 2) THE REGIONAL MUNICIPALITY OF PEEL

Attachment 5 to Minister's Decision MAP 5

WOODLANDS

Woodlands

Conservation Area / Regional Forest

Provincial Park/ Nature Reserve

Rouge Park

Oak Ridges Moraine Conservation Plan

Oak Ridges Moraine Boundary

Oak Ridges Moraine Plan Area

Greenbelt Plan Area Boundary

Greenbelt Plan

Greenbelt Protected Countryside / Hamlet

Natural Heritage System

Urban Area

Towns and Villages Hamlet

Provincial Highways Existing Controlled Access Highway

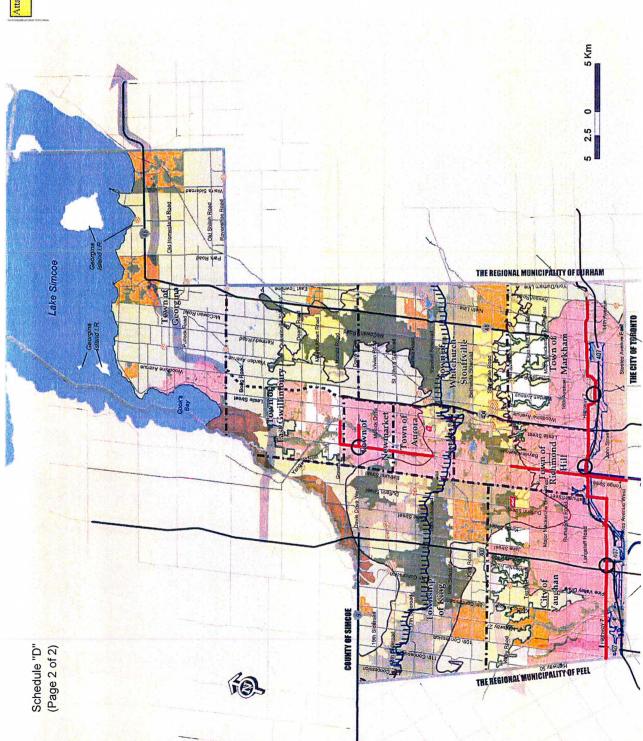
..... Under Construction

Municipal Boundary

York Region Geomatics

Produced by: Geomatics
Planning and Development Services Department
© Copyright, The Regional Municipality of York, August, 2010

© Copyright. The Regional Municipalities of Durham and Peel, County of Simoe, City of Toronto and Peel, County of Simoe, City of Toronto and Cueen's Printer for Ontario, 2003-2010, Includes Greenbelt and Oak Ridges Moraine Boundaries and Water Features



Attachment 1 to Minister's Decision

REGIONAL STRUCTURE



Regional Centre

Regional Corridor Subway Extension

Urban Area

Towns and Villages

Regional Greenlands System (Schematic, See Map 2 for details)

Oak Ridges Moraine Boundary **Dak Ridges Moraine Conservation Plan**

Natural Linkage Area Designation Natural Core Area Designation

Countryside Area Designation / Hamlet

Greenbelt Plan Area Boundary Greenbelt Protected Countryside / Hamlet Greenbelt Plan

Holland Marsh Specialty Crop Area Area Subject to the Lake Simcoe Protection Plan

Parkway Belt West Plan

Ministers Decision on ORMCP Designation Deferred

Provincial Highways

Existing

Controlled Access Highway

--- Under Construction

Conceptual - Alignment Not Defined

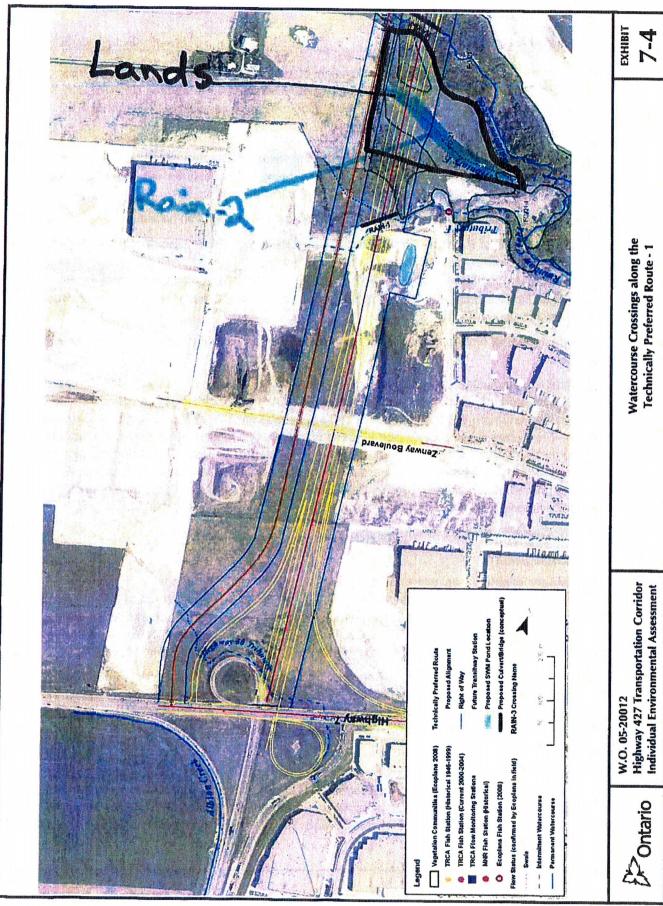
Municipal Boundary Regional Boundary

Note: For detailed land use designations outside of the Ulrban Kea, Twons & Willages and Natural Core and Natural Linkage Areas of the Oak Ridges Moraine Conservation Plan see Map 8 - Agricultural and Rural Area

York Region Geomatics

Produced by: Geomatics Planning and Development Services Department © Copyright, The Regional Municipality of York, August, 2010

© Copyright, The Regional Municipalities of Durham and Peel, County of Simono, City of Toronto and Peel, County of Simono, City of Toronto Augueria Printer for Ontario 2009-2010, Includes Greenbelt and Oak Ridges Moraine Boundaires and Water Features



Watercourse Crossings along the Technically Preferred Route - 1

encroachment, including the potential provision of a retaining wall along the north side of Rutherford Road, are being considered here. Potential construction-related impacts can be managed using appropriate mitigation and restoration measures as outlined in Section 7.1.2.3.

Small Watercourses

Table 7-6 summarizes the existing conditions at the minor watercourses/drainage features or microdrainages crossed within the Study Area. As noted, these features are shown on OBM mapping as connected to either Rainbow Creek or Robinson Creek.

Of the 8 minor watercourses investigated, the following three support fish habitat:

- Tributary F of Rainbow Creek (Rain-1) supports fish use downstream of the ROW and supports indirect fish habitat within the ROW limits;
- Tributary C of Rainbow Creek (Rain-4) supports indirect fish habitat; and,
- East Robinson Creek (Rob-7) appears to support marginal seasonal fish use (likely from on-line pond refugia).

The aquatic habitat features of these three watercourses are summarized in Table 7.5 and in text below.

The remaining five watercourses investigated (Creek-1, Rain-2, Rob-2, Tributary B of Robinson Creek, ROB-3) do not support fish habitat within the ROW limits. Direct fish use is not possible given the presence of permanent instream barriers, lack of channel definition and/or ephemeral flows. These systems also provide little in terms of contributing habitat (allochthanous materials, flow, nutrients) to downstream fish habitat as they represent highly modified systems (ditched, plowed through) that generally lack instream (aquatic) vegetation and riparian features. Even seasonal flow connectivity is very limited by agricultural practices and the presence of enclosed reaches or natural/man-made barriers.

Rainbow Creek Tributary F (Rain-1)

Existing Conditions

This tributary originates as two branches immediately east of the proposed highway, within approximately 16m upstream of the proposed ROW. Within 100m downstream of the proposed ROW, the tributary flows under Rainbow Creek Drive through a drop structure and forms a small channel through a Reed Canary Grass dominant wetland. The tributary outlets to the main channel of Rainbow Creek, located approximately 300m downstream of the Proposed ROW.

The North Branch is a vegetated low-lying swale measuring between 2-4m wide. Reed Canary Grass and cattail choke this entire branch. Pockets of standing water were observed in the channel but the majority of the channel was dry at the time of the August 2008 survey. This branch originates approximately 125m upstream of the proposed highway ROW and appears to be fed by overland flow.

The South Branch has been impacted by adjacent construction activities. This watercourse has been realigned within the vicinity of the proposed ROW and serves as an outlet channel from a new Stormwater Management (SWM) pond located further west of the ROW. Within the ROW, the wetted channel measured 0.7-1.1m wide and 10-14 cm deep at the time of the August

	Apport
Corridor	Environmental Assessment Report
ortation (tal Assa
427 Transportation	ironmen
427	E S

			8 2	рч (б)
Proposed Works			Existing drainage area to be diverted to Rain-	To be designed in Detail Design Stage (Ramp cuivert crossing)
Supports Fishery (Directly, Indirectly, None) / Fish Observed	Indirect fish habitat within ROW (contributes flow, allochthonous materials downstream to Rainbow Creek)		None No watercourse feature identified	Barriers downstream/no defined channel Potential Indirect fish habitat
Connectivity to downstream fishery	upstream of road.		Conveys drainage towards the wetland adjacent to Rainbow Creek. Rainbow Creek located approx. 350m downstream of proposed ROW.	Conveys flows to Rainbow Creek located approx. 175m downstream of proposed ROW.
Thermal Regime/ Management Zones (from HRFMP)			Small Riverine Warmwater/ managed for Darter species	Small Riverine Warmwater/ managed for Darter species
Vegetation (Riparian and Instream)	(chokes channel in some areas). Riparian: Reed Canary Grass (wetland)		Area vegetated by old-field species (grasses, herbs). Vegetated by wetland vegetation (Reed Canary Grass) in low area further east.	Reed Canary Grass swale. Linear wetland vegetated with cattail and Reed Canary
Morphology and Substrate Type	Downstream: flat; clay, sand		N/A- no channel observed	N/A- no formal channel observed
Drainage Form	North Branch: This feature is low-lying (poorly defined swale).	branches join near downstream end of proposed ROW. System is natural in lower reaches towards Rainbow Creek, downstream of ROW.	A well-vegetated topographic low with no formal channel (attenuation function). No observable drainage feature in field. Wetland feature approx. 100m east of ROW.	Originates as two small dug channels (~80 cm wide), which outlets to a wetland pocket (within vicinity of ROW) and then forms a 3-5m wide
Flow (Permanent, Intermittent or Ephemeral)			Ephemeral	Ephemeral (permanent water held in wetland feature as a result of fill
Crossing name and Watercourse	-		Rainbow Creek Trib E	Rain-4, Rainbow Creek Trib C

Stormwater management ponds and flat-bottom swales to treat run-off.

Proposed Drainage Features

There are four major bridge crossings and nine cross culverts required. These are shown on the Plates 1 to 5 of Exhibit 6-3. These crossings are used to convey the Rainbow and Robinson Creeks and their tributaries.

As well, several minor culverts will be required to distribute flow from the median ditch to the left/right ditches, as well as convey flow to proposed stormwater management facilities.

A Fluvial Geomorphology Assessment Report (Appendix K) was completed to evaluate all watercourse crossings and delineate watercourse reaches. This analysis provided recommendations related to sizing and placement of watercourse crossing structures and these recommendations were incorporated into the sizing crossing treatments listed below in Table 6-4.

Table 6-4: Summary of Watercourse Crossing Treatment

Crossing Name	Water Course	Station	Туре
Creek-1	- 1	10+215 Ramp Hwy 427	Existing Culvert to be extended
Rain-1	Rainbow Creek	11+125 Hwy 427	Twin 2740 mm x 1520 mm Box Culvert
Rain-2 ¹	Rainbow Creek		G-21
Rain-3	Rainbow Creek	11+600 Hwy 427	109 m span Bridge (Middle span of 45 m and 2 spans of 32 m each)
Rain-4	Rainbow Creek	9+7504 Ramp Hwy 427	Ramp Culvert Crossing (Dimensions determined in detail design)
Rain-5	Rainbow Creek	9+508 Langstaff Road	72 m span Bridge (2 spans of 36 m each)
Rob-1	Robinson Creek	13+025 Hwy 427	2440 mm x 1220 mm Box Culvert
Rob-2	Robinson Creek	13+560 Hwy 427	3050 mm x 1220 mm Box Culvert
Rob-3	Robinson Creek	14+480 Hwy 427	2440 mm x 1220 mm Box Culvert

Crossing Name	Water Course	Station	Туре
Rob-4	Robinson Creek	10+613 Rutherford Road	Existing Bridge to Stay
Rob-5	Robinson Creek	15+540 Hwy 427	120 m span Bridge (2 spans of 60m)
Rob-6	Robinson Creek	9+422 Major Mackenzie Drive	68 m span Bridge (2 spans of 34 m)
Rob-7	Robinson Creek	10+250 Major Mackenzie Drive	Twin 3050 mm x 1220 mm Box Culvert

Area diverted to Rain-3

Proposed Stormwater Management Measures

The proposed stormwater management strategy consists of utilizing flat-bottomed grassed swales in all locations and stormwater management facilities to provide quality and quantity control to runoff. The location of these ponds are shown on Plates 1 to 5 of Exhibit 6-3 and further detailed in the Stormwater Management report in Appendix J.

In addition, vegetative SWMP's such as enhanced ditches, bio-swales and plunge pools will be utilized along critical highway areas where access to a Stormwater management pond is limited, and to provide localized erosion control measures.

Specifically, existing drainage patterns are to be maintained as much as possible within the layout of the highway profile. Runoff from areas external to the ROW will be intercepted and conveyed directly to the watercourse. Selection of proposed stormwater management practices was determined based on the drainage area contributing flows to local watercourses. The drainage area considered for stormwater management consisted of the complete ROW including the highway, the proposed transitway and transitway stations. The grassed areas, such as the area between the highway and the transitway ROW, will not contribute to increases in peak flows to receiving watercourses, therefore, quantity controls will not be required. However, the grassed areas will require quality treatment due to clean runoff from the grassed area integrating with pollutants from the highway and the transitway.

For contributing areas of 5.0 ha or greater, Enhanced Protection Level treatment has been provided with quantity and erosion treatment. The primary stormwater management practice for providing treatment for areas of 5.0 ha or greater is stormwater management wetponds. Stormwater management wetponds were specifically chosen by the design team and MTO as opposed to stormwater management wetlands for the following reasons:

- Wetlands have a higher tendency to attract wildlife closer to the highway;
- MTO has experienced higher maintenance issues surrounding wetlands as compared to wetponds;
- MTO has utilized wetponds much more frequently, and have noted that there are no greater stormwater management benefits with wetlands.

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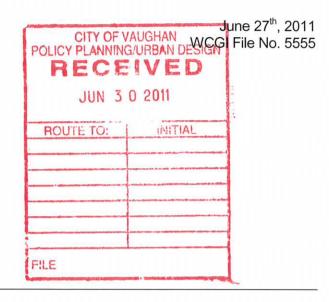
Policy Planning Department City of Vaughan 2141 Major Mackenzie Drive Vaughan, Ontario L6A 1T1

ATTENTION: Clement Chong, Planner

Dear Sir:

Re:

DORIAN PLACE STUDY



Weston Consulting Group Inc (WCGI) has undertaken preliminary planning work for the owner of 5 Dorian. It is our understanding that the City of Vaughan will be undertaking a special study of Dorian Place (the Dorian Place Study) with the objective being to assess the suitability of incorporating the block into the Yonge Steeles Corridor Secondary Plan.

The owner has requested that we monitor the Dorian Place Study on their behalf. As such, we kindly request that you notify WCGI about any notices, meetings, open houses and/or other matters related to the Dorian Place Study.

Please send all future correspondence, notices and documents related to the Dorian Place Study to the undersigned, Tim Jessop.

Yours truly,

Weston Consulting Group Inc.

Per:

Tim Jessop, MES

Planner

CC:

Dave Lundell, Land Owner (via email)

Mark Emery, WCGI (via email)

Armine Hassakourians, Development Planner, Vaughan (via email) Diana Birchall, Director of Policy Planning, Vaughan (via email) John MacKenzie, Commissioner of Planning, Vaughan (via email)

Since 1981

Vaughan Office:

201 Millway Avenue, Unit 19,

Vaughan, Ontario, L4K 5K8

Tel. 905-738-8080

Oakville Office:

1660 North Service Road East, Suite 114,

Oakville, Ontario, L6H 7G3

Tel. 905-844-8749

Nu-Land Management Inc

September 10, 2010

City of Vaughan 2141 Major Mackenzle Drive Maple, Ontario L6A 1T1

Attention: John Zipay

Re: Block 40/47 - Greenbelt.

Dear John.

Please find attached for your information and records, correspondence addressing the Greenbelt relating to Block 40/47.

The original correspondence was forwarded to your Legal Department, attention Heather Wilson as requested by City staff.

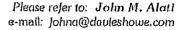
Any questions or concerns please do not hesitate to contact me.

Regards,

George Karakokkinos Block Manager

C.c.

City of Vaughan – Grant Uyeyama, Diana Birchall Block 40/47 Planner – Gary Templton Block 40/47 Developers Group





August 31, 2010

By E-Mail georgek_nuland@rogers.com

Lawyers

The Fifth Floor 99 Spadina Ave Toronto, Ontario M5V 3P8

T 416.977.7088 F 416.977.8931 dayleshowe.com Mr. George Karakokkinos Nu-Land Management Inc. 64 Jardin Drive, Unit 1C Concord, Ontario L4K 3P3

Dear Mr. Karakokkinos:

Re: Block 40/47, Vaughan, Ontario - Provincial Greenbelt Plan

We are writing to you in your capacity as the project manager for the Block 40/47 landowners in the City of Vaughan. You have requested our firm's written opinion as to whether or not the planning applications for these lands are "grandfathered" or covered by the transition provisions of the Greenbelt Act 2005.

Our Opinion

It is our opinion that the Secondary Plan, block plan and any further planning applications and associated approvals required to implement the approved and intended subdivision uses within Block 40/47 are not required to conform to the provisions of the *Greenbelt Plan* and specifically that the limit of development line which is being shown as the urban boundary for the proposed subdivision is not required to match the line shown in the *Greenbelt Plan*.

Our opinion is based on our independent review of the information noted below and our interpretation of the applicable planning and statutory instruments in accordance with established legal principles.

Information Basis for the Opinion

In order to arrive at this opinion we have reviewed the following documents and information:

1. A letter dated April 11, 2005 from Mr. Victor Doyle, Manager, MMAH, addressed to Mr. Gary Templeton;



- 2. A letter dated April 12 from John Zipay, Planning Commissioner, City of Vaughan addressed to Mr. Gary Templeton;
- 3. The most recent Land Use Schedule in the recently adopted York Region Official Plan;
- 4. The Greenbelt Plan, the Greenbelt Act, 2005 and Ontario Regulation 61/05;
- 5. Other relevant background correspondence related to these lands; and
- 6. Advice and background information provided by Mr. Gary Templeton, land use planner, respecting these matters

<u>Analysis</u>

The original applications for Official Plan and Block Plan approval on the Block 40/47 lands were filed with the City of Vaughan in 2003. The proposed Block Plan for the area involves parts of Lots 23, 24 and 25 in Concessions 6 and 7. The lands are designated "Urban Area" and Valleylands" by OPA 600 and form part of Vellore Urban Village 1. OPA 600 was adopted by City Council on September 2000 and finally approved by the Region on June 29, 2001.

The original applications filed in 2003 contemplated a development of approximately 900 homes. Servicing constraints and other issues resulted in delays to finalization of the plan and in 2008 the applications were amended to provide an increased density within the same development envelope to provide for a total of approximately 1,300 homes.

The draft Greenbelt Plan was introduced in October 2004 based on advice from the Greenbelt Task Force and information from provincial data sources. In December 2004 and in early February 2005 letters were written to the Ministry of Municipal Affairs and to the Government of Ontario requesting that the boundary of the proposed Greenbelt in the vicinity of the Block 40/47 lands be revised to better reflect the staked and surveyed lines delineating the limit of development from the natural and protected areas. This limit of development was established on site walks with the public authorities which occurred in the Spring of 2004 and is scientifically justified.

The Greenbelt Act received Royal Assent on February 24, 2005 and authorized the designation of a Greenbelt Area and the establishment of a Greenbelt Plan. Ontario Regulation 59/05 was filed on February 28, 2005 to designate a Greenbelt



Area. The Greenbelt Plan was approved by Order in Council on February 28, 2005. The Greenbelt Plan sets out land use policies for the Greenbelt and includes four schedules, including Schedule 1, which shows the extent of the Greenbelt Plan Area and the Protected Countryside designation, and Schedule 4 which shows the Natural Heritage System with the Protected Countryside.

Despite the prior submissions made on behalf of the landowners, the Provincial Government elected not to revise the limit of the Greenbelt Area shown in the final Greenbelt Plan in the area affecting Block 40/47 lands, but provisions in the Act provide for certain applications to be exempt or transitioned depending on when an originating application was commenced.

Section 7 of the Greenbelt Act requires that all decisions made under the Ontarlo Planning and Development Act, 1994, the Planning Act or Condominium Act, 1998 must conform to the Greenbelt Plan. Notwithstanding this provision, Section 24 deals specifically with applications which were commenced prior to December 16, 2004, and states that Section 7 applies to applications, matters, or proceedings commenced on or after December 16, 2004 relating to areas designated as Protected Countryside in the Greenbelt Plan except as may be otherwise prescribed. The Minister has prescribed in Regulation 61/05 specific types of applications which have commenced prior to December 16, 2004 but still must conform with the Greenbelt Plan. These applications include official plan amendments for mineral aggregate uses and official plan amendments within the Towns of Markham, Whitchurch-Stoufville and Richmond Hill and in the City of Toronto.

Under the transition provision, Section 5.2.1 of the *Greenbelt Plan* allows an official plan approval to be recognized through the conformity exercise where the official plan was amended prior to December 16, 2004 (as was the case with OPA 600 which was adopted in September 2000 and approved in 2001). Furthermore, Section 5.2.1 states that any further planning applications required to implement such an official plan approval are not required to conform with the *Greenbelt Plan*.

This interpretation is consistent with caselaw considering the transition provisions of the Greenbelt Plan. In Calloway REIT (Burlington) Inc. v. Halton (Region), (2009) 61 O.M.B.R. 360, the Board held after a contested motion, that a rezoning application by Paletta International Corporation ("Paletta") filed after December 16, 2004, was exempt from having to conform to the Greenbelt Plan through the operation of Section 5.2.1 of the Greenbelt Plan. The Board found that the zoning amendment to implement an earlier OPA approval need not conform to the Greenbelt Plan.



The subject applications do not fall within the parameters of Ontario Regulation 61/05 and based on that fact and the provisions of Section 5.2.1 of the Greenbelt Plan, the further applications required to implement the urban land uses in Block 40/47 are transitioned.

As additional support for this opinion we can advise that the Region of York has adopted a new Official Plan in 2009 which is currently pending with the Ministry for approval, We are advised that Ministerial approval is imminent and anticipated within the next month or so. Both the existing Regional Plan and the recently adopted Regional Plan generally reflect the boundary line for the limit of development as established in OPA 600 and as reflected in the Block 40/47 applications. Any minor differences reflect refinements based on detailed technical investigation. As such the proposed Block 40/47 plans conform with the York Region OP. We are advised that the proposed Ministry modifications to the Regional Plan do not purport or attempt to alter this proposed boundary line and we are further informed by Mr. Gary Templeton that he has spoken to the Regional Planners about this matter and they have confirmed to him that the Ministry and the Region have discussed this matter and there is no issue about the proposed limits of the Greenbelt in proximity to Block 40/47 and that the Ministry is prepared to accept in the Regional Plan the limit of development line shown for the Block 40/47 lands.

In coming to this opinion we are aware of the fact that there is an area of land, known as "Skandatut", within Block 40/47, which is a recognized site or archaeological significance and which is still the subject of review. We are in no way rendering an opinion about the validity of any of those matters and any potential issues as they may relate to the developability of the Skandatut lands.

We trust that this opinion is of assistance and we understand that you have instructed us to provide a copy of this letter to Heather Wilson, Solicitor, City of Vaughan for consideration. Ms. Wilson is shown as a copy below. If you require any further information do not hesitate to contact the writer.



Yours truly,

DAVIES HOWE PARTNERS

John M White

John M. Alati

Copy: Mr. Gary Templeton, Templeton Planning Ltd. Ms. Heather Wilson, Solicitor, City of Vaughan



Weston Consulting Group Inc.

'Land Use Planning Through Experience and Innovation' 201 Millway Avenue, Unit 19, Vaughan, Ontario, L4K 5K8

Transmittal

POLICY PLANNING/URBAN DESIGN

RECEIVED

77-B

JUL 2 1 2011

ROUTE TO: INITIAL

FILE

ICFarlane

			rice	
То:	Diana Birchall	From:	Jane McFarlane	
Company	City of Vaughan	Phone:	905-738-8080 ext. 225	
Phone:	905 832-8585	Fax:	905-738-6637	
Address:	2141 Major Mackenzie Drive Vaughan, ON, L6A 1T1			
			M. Rossi, City of Vaughan	
n	Top of Bank and Development Limits Part Lot 1, 64R-3136, Lot 16, Conc.		J. Mackenzie, City of Vaughan	
Re:	Rutherford Road and Hwy 27	°CC:	S. lacobucci, 1233389 Ontario Inc.	
			A. Ko, Region of York	
Date: Ju	ly 20, 2011 No. o	of Items:	4 File:5120	
Urgent	□ For Review □ Please Comme	nt ☐ Plea	ase Reply	
Comment	s:			
Diana,				
Please find Plan.	enclosed correspondence related to	the mappino	g on Schedule 13 of the adopted Officia	
Please cont	act either Ryan (ext. 241) or myself sh	nould you ha	ave any questions.	
Thank you,				
Iona MaFar				
lane McFar	rlane			

Since 1981



'Land Use Planning Through Experience and Innovation'

July 18, 2011 File No. 5120

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

ATTENTION: Ms. Diana Birchall, Director of Policy Planning

Dear Ms. Birchall:

Re:

Adopted City of Vaughan Official Plan Part 1, 64R-3136, Lot 16, Concession 9 Rutherford Road and Regional Road 27

City of Vaughan

Weston Consulting Group Inc. (WCGI) is the planning consultant for 1233389 Ontario Inc., the owner of a property located on the north side of Rutherford Road, west of Highway 27 in the City of Vaughan.

We acknowledge that the western portion of the subject property is designated "Low-rise Residential" according to the City's adopted Official Plan. We support this proposed designation. However, it is further acknowledged that the eastern portion of the property is designated as "Natural Areas" on Schedule 13-K and "Core Features" on Schedule 2.

Further to our recent meeting, the City advised that they would entertain a revision to the mapping consistent with our recent staking of the development limit with the TRCA.

Please find attached development limits as approved by the TRCA and the applicable Land Use Schedule 13-K and a graphic that illustrates the development limit on the Schedule. As discussed, we request that the Schedule 13-K, be revised to reflect the staked top of bank as illustrated.

We thank you for the consideration of this matter and request that confirmation of this Schedule revision be provided to our attention at your earliest opportunity.

For further information related to this submission please contact the undersigned or Jane McFarlane at extension 225.

Yours truly,

Weston Consulting Group Inc.

Per:

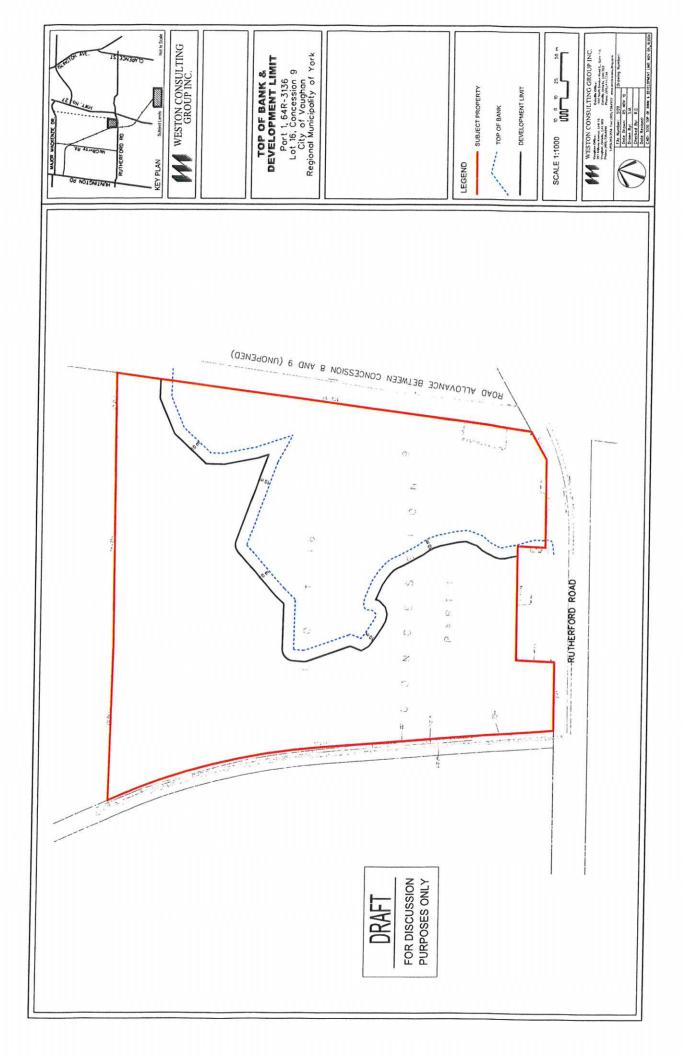
Ryan Guetter, BES, MCIP, RPP

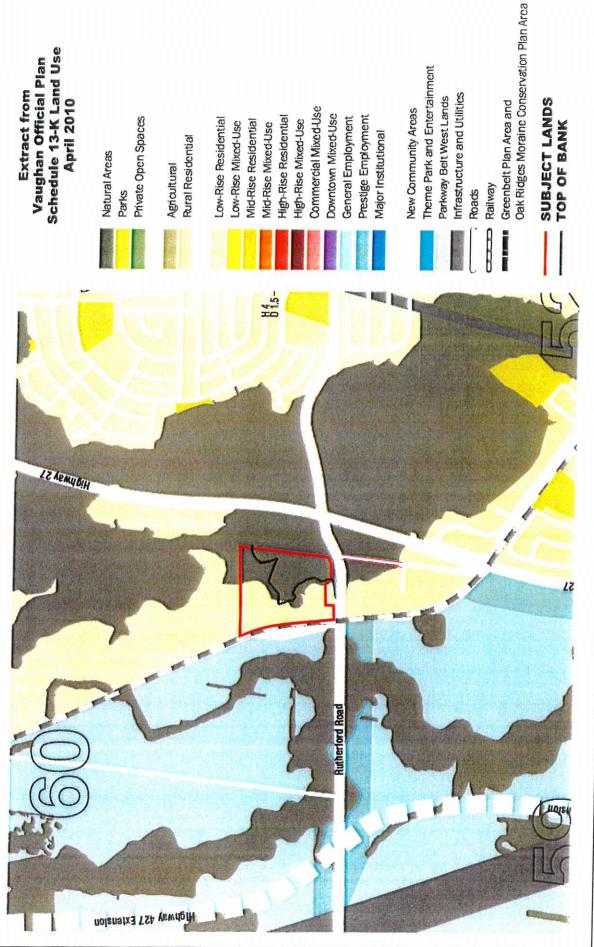
Vice President

CC.

John Mackenzie, City of Vaughan Melissa Rossi, City of Vaughan Susie Iacobucci, 1233389 Ontario Inc.

Augustine Ko, Region of York



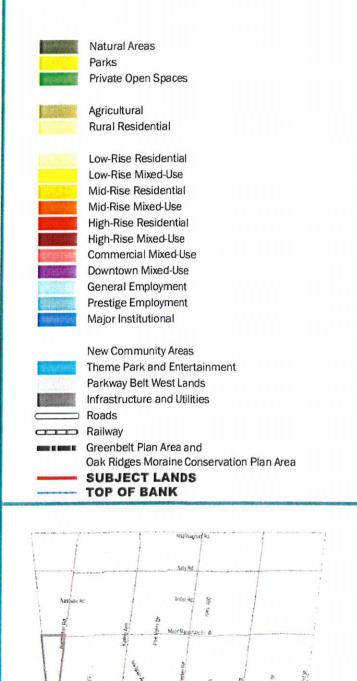


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SCHEDULE 13-K

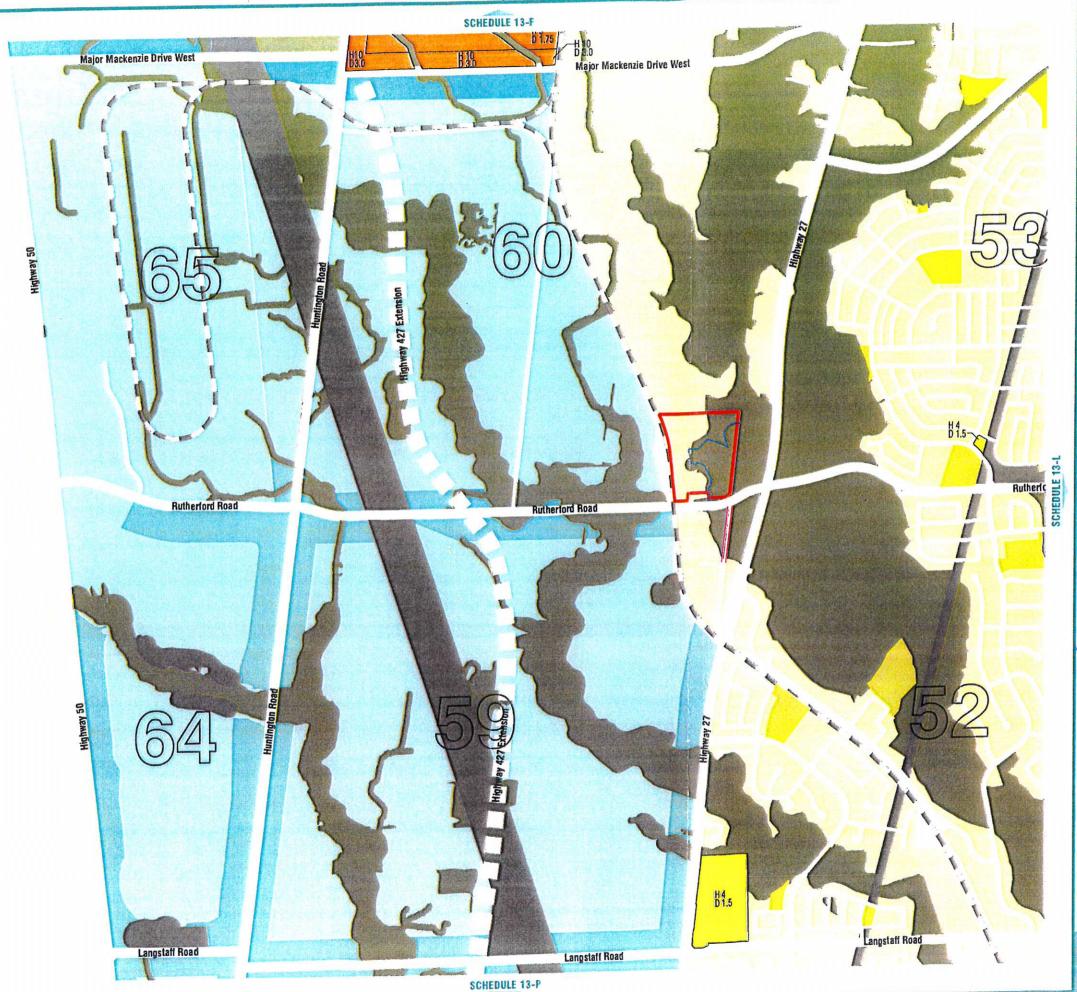
Land Use



April 2010

DRAFT







From: <u>Clerks@vaughan.ca</u>

To: <u>Uyeyama, Grant; Birchall, Diana; Peverini, Mauro;</u>

Chong, Clement;

Subject: FW: New Official Plan- KARA"s Submissions to City

Date: Tuesday, January 11, 2011 1:45:31 PM

For your information.

Connie Bonsignore Administrative Assistant Office of the City Clerk

Telephone: (905) 832-8585 Ext. 8280

Email Address: connie.bonsignore@vaughan.ca

-----Original Message-----

From: Ken Nieuwhof [mailto:nieuwhof@sympatico.ca]

Sent: Tuesday, January 11, 2011 11:47 AM

To: Schulte, Deb; 'Kara-Inc'; mayor@vaughan.ca; Di Biase, Michael; Rosati, Gino; Shefman, Alan; Racco, Sandra; DeFrancesca, Rosanna; Carella, Tony;

Tafrate, Marilyn; Zipay, John; Clerks@vaughan.ca

Cc: ken.schwenger@sympatico.ca; bertuzzo3643@rogers.com Subject: RE: New Official Plan- KARA's Submissions to City

Hi Deb.

KARA remains opposed to immediate urban boundary expansion at this time for reasons cited in our letter of May 17th, 2010. It is KARA's position that the City should allow development and intensification to occur within the existing urban boundary over the next 5-10 years, followed by a comprehensive review (at the 5 and/or 10 year time frame) to determine whether a proposed urban boundary expansion is then required in the future.

KARA appreciates the direction of the previous council in reducing densities north of the villages of Kleinburg and Nashville, but we still believe that the densities proposed in the isolated areas 5 and 6 cannot be adequately supported by the planned infrastructure and transit services, and therefore is not sustainable. We also believe that higher densities in these areas will lead to the ultimate demise of the character of our heritage villages. Nashville, Huntington, Islington, and Stegman's Mill roads cannot be made to handle the traffic volume increases without detrimental impacts on the villages. Increases in density should be kept south of the villages.

Sincerely,

Ken Nieuwhof Chair, KARA Traffic & Development Committee 416-988-4090

----Original Message-----

From: Schulte, Deb [mailto:Deb.Schulte@vaughan.ca]

Sent: Wednesday, January 05, 2011 7:16 PM

To: 'Kara-Inc'; mayor@vaughan.ca; Di Biase, Michael; Rosati, Gino; Shefman, Alan; Racco, Sandra; DeFrancesca, Rosanna; Carella, Tony; Iafrate, Marilyn;

Zipay, John; Clerks@vaughan.ca

Cc: nieuwhof@sympatico.ca; ken.schwenger@sympatico.ca;

bertuzzo3643@rogers.com

Subject: RE: New Official Plan- KARA's Submissions to City

To: The KARA Board of Directors

Thank you for the copies of the letters sent in the past regarding your concerns on the OP and Secondary Plans for your area. I have been focused on the urban boundary expansion and have not had a chance to go through the final OP to see how your concerns got addressed. Can you possibly give me a review of what got changed and what stayed the same, so in effect, what issues you now have with the OP that was approved.

Best Wishes!

Deb

----Original Message-----

From: Kara-Inc [mailto:kara@kara-inc.ca]
Sent: Wednesday, January 05, 2011 9:54 AM

To: mayor@vaughan.ca; Di Biase, Michael; Schulte, Deb; Rosati, Gino;

Shefman, Alan; Racco, Sandra; DeFrancesca, Rosanna; Carella, Tony; Iafrate,

Marilyn; Zipay, John; Clerks@vaughan.ca

Cc: nieuwhof@sympatico.ca; ken.schwenger@sympatico.ca;

bertuzzo3643@rogers.com

Subject: New Official Plan- KARA's Submissions to City

Happy New Year Mayor & Councilors:

The Kleinburg and Area Ratepayers' Association understands that the new Vaughan City Council is considering reviewing sections of the recently approved new Official Plan. KARA's position on the subject is documented in the attached submissions and has not changed.

Regards,

KARA Board of Directors.

This e-mail, including any attachment(s), may be confidential and is intended solely for the attention and information of the named addressee(s). If you are not the intended recipient or have received this message in error, please notify me immediately by return e-mail and permanently delete the original transmission from your computer, including any attachment(s). Any unauthorized distribution, disclosure or copying of this message and attachment(s) by anyone other than the recipient is strictly prohibited.

P.O. Box 202, Kleinburg, Ontario, L0J 1C0

May 17, 2010

To: Attention: Clerk's Department

City of Vaughan

2141 Major Mackenzie Drive Vaughan, ON L6A 1T1 CC: Mayor, Members of Council

Re: File No. OP.25.1

KARA Comments, Concerns and Questions re new OP and Kleinburg/Nashville Secondary Plans

The Kleinburg and Area Ratepayer's Association (KARA) has the following comments, questions and concerns with respect to the new Official Plan:

KARA congratulates the City on the well articulated forward-thinking vision created for our City through this new Official Plan. We support the key concepts of sustainability, environmental and agricultural protection, pedestrian, bike and transit-friendly communities, and the creation of communities with beautiful senses of "place" that are represented within this plan. We also appreciate the dedicated efforts of City staff, consultants and City Council's Official Plan Committee to create this plan for the City.

KARA's specific comments on the draft Official plan are as follows:

- The population numbers proposed within this plan, detailed within the Hemson report and the City's recent staff report are dependent upon the City's secondary plans, which are yet to release comprehensive reports, and will then be subject to public hearings, public comment and approval. We strongly recommend that Council defer their decision on the overall Plan, especially the critical matter of urban boundary expansion, until public comments on the secondary plans are heard.
- It is KARA's position that the City allow development and intensification to occur within the existing urban boundary over the next 5-10 years, followed by a comprehensive review (at the 5 and/or 10 year time frame) to determine whether a proposed urban boundary expansion is then required in the future. Our reasoning is as follows:
 - Maintaining the current urban boundary will encourage the residential marketplace to be creative with intensification opportunities
 - Over a 21-year period, we believe it unlikely that the City, Region and Province will be within a 15% margin of error in their estimations for densities, population growth or development (15% is the percentage of units now allocated for urban boundary expansion).
 - Within this new plan, the proposed increase in population by 5980 units (17,500 people at a factor of 2.94) for the Kleinburg-Nashville area is far too much and far too fast for our heritage conservation district and surrounding areas to absorb. This plan proposes our

P.O. Box 202, Kleinburg, Ontario, L0J 1C0

population will grow to over 21,000 (or more) from its current 3800 – over a five-fold increase in the next 20 years, compared to the relatively modest growth of 1100 to 3800 persons from 1975 to present day. We have already seen the approval of a very large new sustainable village with significant intensification proposed for south Nashville, alongside the large re-development of the former Kleinburg Golf Club for residential development. Let's first see how this works; how this huge increase affects our villages and how transportation and other service infrastructure evolve to serve this area.

- Once the City expands the urban boundary, it can not take it back. We suggest the City
 evaluate how the subway expansion impacts intensification plans in and around the City
 Centre. The City might also look at strategies to promote and encourage development more
 quickly along its intensification corridors, so that it might meet the desired residential
 targets.
- The likelihood of approval of secondary suites in the City might allow for perhaps thousands of new units, and once approved, the City could take actions to encourage home owners to take advantage of this relatively easy way to slightly increase densities within existing residential housing stock.
- The City also needs to do much more in developing a comprehensive economic
 development strategy for agricultural land preservation. Allowing urban expansion at this
 time, without such a strategy in place is premature. The City could then undertake an
 economic development plan with the Province and other municipalities for agricultural land
 renewal, which would also be subject to a review which would identify which lands have
 the highest potential for agricultural success, and which are more predisposed to
 development
- Similarly, the City also requires a comprehensive sensitive lands environmental review and inventory. Allowing further growth into green lands north of the currently built area without such a study (including some of the lands currently within the Kleinburg-Nashville secondary plan), could cause irreparable harm to sensitive environmental corridors, wetlands and species.
- KARA has concerns about the protection of environmentally sensitive lands within and abutting the expanded employment lands along Highway 400, and requests that the City as part of the environmental study recommended above, review these proposed lands, and designate only the most appropriate areas of this parcel for employment lands.

KARA believes that innovative planning can create 'sustainable and vibrant communities'; contrary to much of the planning that we have seen in the GTA in recent years. This includes building communities in which we can live, work, and play with much less dependency on the automobile, and much more friendly towards pedestrians, cyclists, and mass transit. Higher densities along transit corridors and easier access to transit must be encouraged.

Kleinburg-Nashville Focus Area Study and Secondary Plan:

Kleinburg and Nashville are historic villages on the edge of the GTA. We still have the luxury of farmland and green spaces to our north, and are blessed to have the Humber River Valleys as part of our

P.O. Box 202, Kleinburg, Ontario, L0J 1C0

natural landscape enjoyed by all. However, these spaces are being developed at a rapid pace and at densities out of character for historic villages. If not checked, the villages will be swallowed up and paved over. The designation of the historic district is meant to protect the villages; however, if they become surrounded with high density growth, they are not likely to survive as historic villages. KARA also believes that much of our Vaughan rural heritage has been lost and that we should be working to preserve that which we have left. Many people are drawn to, and visit our area to enjoy the country feel, natural beauty of the Humber Valleys, historic charm of the villages, and open green spaces around Kleinburg and Nashville.

KARA has specific comments on the Kleinburg-Nashville Focus Area review and the City's secondary plans which will be submitted to the City and its planners within the coming weeks. In general, KARA believes that Kleinburg, Nashville and area future development needs to be:

- Phased and modest given the very large developments recently approved for our area, the lack
 of transportation infrastructure especially east-west, lack of reliable transit corridors, Humber
 Valley lands and environmentally sensitive lands protection, proximity to and protection of the
 greenbelt, and the preservation of agricultural lands
- respectful and encouraging of the heritage conservation district and historic villages of Kleinburg and Nashville
- approved only after appropriate studies are complete for environmentally sensitive areas and an agricultural lands preservation economic strategy

KARA thanks the City for the opportunity to comment and give input into our City's new Official Plan, and look forward to working together to achieve a sustainable, beautiful and livable City now and in the future.

Yours sincerely,

Mr. Ken Schwenger KARA President

Hen Jelwenger

P.O. Box 202, Kleinburg, Ontario, L0J 1C0

June 14, 2010

To: Attention: Clerk's Department

City of Vaughan

2141 Major Mackenzie Drive

Vaughan, ON L6A 1T1

CC: Mayor, Members of Council

Re: Kleinburg/Nashville Secondary Plans - KARA Comments, Concerns and Questions

KARA agrees that innovative planning can create sustainable and vibrant communities in which people can live, work, and play with much less dependency on the automobile, and much more friendly towards pedestrians, cyclists, and mass transit. Higher densities along transit corridors and easier access to transit must be encouraged. In this regard, KARA has not been in opposition to higher densities and growth just south of the villages of Kleinburg and Nashville, in particular along Major Mackenzie in Block 61 near the new 427 terminus.

Kleinburg and Nashville are historic villages on the growing edge of the GTA. We still have the luxury of farmland and green spaces to our north, and are blessed to have the Humber River Valleys as part of our natural landscape enjoyed by all. However, the plans are to develop the area at a rapid pace and at densities out of character and not compatible with historic villages. If not checked, the villages will be swallowed up and paved over. The designation of the historic district is meant to protect the villages; however, if they become surrounded with high density growth, they are not likely to survive as historic villages. KARA believes that much of Vaughan's rural heritage has been lost and that we should be working to preserve that which we have left. Many people are drawn to, and visit our area to enjoy the country feel, natural beauty of the Humber Valleys, historic charm of the villages, and open green spaces around Kleinburg and Nashville.

We believe the proposed population increase for Kleinburg/Nashville, from 3800 currently, to over 21,000 by 2031 is far too much, far to fast for the area to absorb. Adding thousands of residents into these areas will significantly increase traffic, congestion, and air pollution in the areas. All these areas today are served by rural roads. Huntington and Kipling roads are not through roads. Nashville and Teston lead through the historic villages. As such, none of these roads will become transit corridors. To maintain the historic and country feel to the district, and to help manage traffic volumes through the historic villages, we believe these roads should remain 2-lane rural roads. The villages are congested today – they cannot handle this type of additional density to the north along with the accompanying traffic. Where will the traffic go? There are very few alternatives and none east-west north of Major Mackenzie. KARA believes this type of density should be kept south of the villages giving them the chance to survive on the northern boundary of the GTA.

Any new development in the area should be phased and modest given the very large developments recently approved and the lack of transportation infrastructure. It also needs to be respectful of Humber Valley lands, environmentally sensitive lands, and greenbelt protected areas. Heritage properties identified should be protected. We also believe more focus should be given to preparing an agricultural lands preservation economic strategy prior to any additional development.

There is far too much on-road cycling proposed in the plans. Physically separated cycle paths are needed to encourage cycling and make it safe.

KARA's specific comments regarding the various areas identified in the secondary plan are as follows:

Area 1.

To date, the villages have been buffered by having lower density, larger lot developments between the villages and much higher density developments to the south. Indeed, we understand the plan for Nashville Heights includes similar buffering for the village of Nashville. This should continue for Area 1, north of Nashville. KARA agrees this area

P.O. Box 202, Kleinburg, Ontario, L0J 1C0

should be low density residential, supporting the main street mixed-use village. This would be in keeping with the entire Kleinburg/Nashville heritage conservation district.

The concept of back laneways on either side of Nashville Road, and in Area 1, is not appealing. While the appearance of the properties from the main streets may be enhanced, the laneways are typically unsightly, congested, and extremely unappealing as witnessed in other neighbourhoods.

We also noted that in the future transportation plan, Nashville Road is designated as a major arterial road. We believe this was a mistake and trust that this will be corrected. Nashville Road should be transferred to the City as soon as possible with truck restrictions put in place.

Area 2.

This area north of the historic village of Nashville is surrounded by the Humber valley green space to the north and east, agricultural lands to the west, and large lot residential development to the south. Introducing an island of medium high density (50 people/Ha) in such a setting just does not fit with the surrounding properties. We strongly prefer this land remain agricultural. 3 to 5 stories and significant mixed use is not appropriate in such a rural setting. There are no roads to the north, and no direct roads to the east or west. There is only Huntington Road to the south. Higher densities north of Nashville, will inevitably lead to more traffic in Nashville and Kleinburg. We believe a much lower density is warranted for Area 2 because of this. No development should proceed in this area until a comprehensive traffic plan is in place and the impacts on the villages of Kleinburg and Nashville are understood.

Areas 5 & 6

Area 5 & 6 are completely surrounded by Greenbelt and Natural Heritage areas including the East Humber River Valley. Introducing an island of medium high density into the middle of a green area just doesn't fit. Connections to roads will be made through areas designated as greenbelt. Where are the services (water, sewage, etc.) going to come from? They'll have to go through greenbelt. KARA is opposed to development in theses areas. KARA believes it will not be possible to build a sustainable community in this area and that the land in Areas 5 & 6 are a prime opportunity to expand the greenbelt rather than creating an island of development in the midst of it.

There are environmentally sensitive areas within areas 5 & 6 which warrant further study and protection. Developing across these areas should not be allowed, and proper buffers should be maintained with all green spaces.

Additional comments on the details of the plan can be found in the appendix with our written submission.

Thank you.

Yours sincerely,

Ken Schwenger President, KARA

P.O. Box 202, Kleinburg, Ontario, L0J 1C0

Appendix 1 - Addition comments:

P.O. Box 202, Kleinburg, Ontario, L0J 1C0

Email: kara@kara-inc.ca Website: www.kara-inc.ca

Attention: Clerk's Department City of Vaughan 2141 Major Mackenzie Drive Vaughan, ON L6A 1T1

cc: Mayor, Members of Council

July 27, 2010

Re: Official Plan Review - File 25.1

The Kleinburg Area and Ratepayer's Association (KARA®) has the following comments, questions and concerns with respect to the new Official Plan Volume 1.

KARA thanks the City for reviewing our comments submitted to the City on May 17, 2010. We acknowledge that the City has made a partial attempt to mitigate our concerns with urban boundary expansion by the "Timing of Secondary Plans in New Development Areas", and the inclusion of the secondary suites study into the plan. We also recognize that the proposed Hwy 400 North employment Lands and new community areas will require a Master Environmental Servicing Plan that will address environmentally sensitive lands. KARA would like to congratulate City staff for their methodology in summarizing the comments submitted and City staff comments and recommendations in Attachment 1, PART B: Summary of Respondents' Requests/Concerns and Staff Comments and Recommendations. We found this summary very useful and we hope that this will be adopted for future staff reports.

A general comment is that it would be very useful if some of the background numbers on population and traffic growth that were used in the development of the Official Plan were included as an Appendix to the plan. The plan projects the growth of Vaughan out to 2031 based on a 2% growth per year on a compound basis. The growth rate of Vaughan according to the Statistics Canada numbers has been at a compound rate of 6% per year for the last 15 years ending in 2006 (the last census). A question then is what years were used as the baseline (start date) for population and traffic and what growth rate was used in projecting these out in the preparation of the Plan. KARA has concerns that a 2% growth rate may underestimate future infrastructure requirements (e.g. traffic, roads, servicing, community centres, parks).

Staff Report - Official Plan Review

1) In staff recommendations under clause 1 a) remove in its entirety the last sentence starting "Further, the general principles...". Replace with a clause stating that the new urban boundary areas will not be considered until all of the secondary plans are completed to the point where the TBD's in Table 2 of the "Housing Analysis and Employment Land Needs (Henson, April 2010) are filled in and that plans for the new urban area would only be considered if the Provincial targets are not met at this point in time.

P.O. Box 202, Kleinburg, Ontario, L0J 1C0

Email: kara@kara-inc.ca Website: www.kara-inc.ca

2) In section "Required Secondary Plan Areas" we have concerns that the date chosen is very late in the Official Plan Review process. Technically, an application could have been submitted to the City on May 16, 2010 to avoid the new Official Plan requirements in Secondary Plan areas. Perhaps an earlier date in the review process should be chosen.

Specific comments – Vaughan Official Plan Volume 1 (Draft)

- 1) Introduction Section 1.3 (pg 9 last sentence) "Where policies of the Regional Plan conflict with this plan, the Regional Plan will prevail." Should Vaughan post-pone consideration and approval of this plan until the Regional Plan is completed and approved so that Vaughan's plan could be done in conformance with the regional plan?
- 2) Transportation Section 4.2.16 (pg 129) Mention is made of jog elimination at intersections and grade separated rail and highway crossings. Does this apply to the new urban areas and the secondary plan areas or all of Vaughan? As the City is aware, KARA opposes the jog elimination at Pine Valley and Teston roads due to preservation of wetlands. KARA would like to see jog elimination at intersections done on a case by case basis, as in some cases jogs may be preferable to aligned intersections for traffic management/calming.
- 3) Transportation Section 4.3.2 Parking (pg 141) Subsection 4.3.2.1 discusses the possibility of establishing a Municipal Parking authority whereas Subsection 4.3.2.2 mentions establishing minimum and maximum parking standards in zoning by-laws for all types of development as well as considering the availability of parking on collector and local streets when determining parking requirements. Will the parking authority be established before changes to the parking requirements in the by-laws? When the by-laws are changed will this apply to all of Vaughan or only the new urban and/or secondary plan areas?
- 4) Building a Great City Section 9.1.1.8e (pg 251) This clause should be extended to prohibit the rearlotting on open space (eg; river valleys, park lands etc.) similar to Section 9.1.1.3 clause (b).
- 5) Building a Great City Section 9.2.2 Land Use Designations Will the designation Low-Rise Residential apply only to the new urban areas or will it apply to all of Vaughan? In particular how will the Low-Rise Residential designation apply to the existing Zoning under By-Law 1-88 (eg; RR, R1, R2, ...). Once the By-Law 1-88 is superseded by the new revised By-Law which is in conformance with this Plan will the zoning change for all of the properties in Vaughan? As a follow-up, will the zoning permitted under Section 9.2.2.1 clause (b-iv) apply to all of Vaughan?

Sincerely,

Ken Schwenger President, KARA

en Jelwenger

P.O. Box 202, Kleinburg, Ontario, L0J 1C0

Email: kara@kara-inc.ca Website: www.kara-inc.ca

August 31, 2010

To: Attention: Clerk's Department

City of Vaughan

2141 Major Mackenzie Drive Vaughan, ON L6A 1T1 CC: Mayor, Members of Council

Re: Vaughan New Official Plan, Volume 2 - Kleinburg/Nashville Secondary Plan

In early 1970's, Pierre Berton and local residents formed the Kleinburg and Area Ratepayers' association to preserve the unique heritage of Kleinburg and Nashville and their quality of life. Their vision for our community was: rural residential development, slow growth-doubling population over 20 years, preservation of the historical village cores and commercial activities confined to the core.

In 1972, KARA with tremendous support from local residents fought the City and a prominent local developer at the OMB on a development plan which called for a 240% increase in population, higher density development, strip mall commercial, and a fairground at Major MacKenzie and Islington. KARA won that fight, and went on to work with the City and Planner Mathew Lawson in the early 1980's to create "The Kleinburg Plan" which called for enclosing Kleinburg with tree belts to delineate community boundaries, protection of the old town as a community centre focus and modest residential development north and south of town.

Almost 30 years later, the Kleinburg Plan vision has come to life due to the hard work of residents and KARA holding true to the vision for their community.

We are today at another crossroads for Kleinburg-Nashville development. Our population has grown from 1200 to just under 4000 over a 40 year period. This reflects a staged, slow growth pattern of development that has allowed new residents to become engaged as part of our community and that has allowed the preservation of Kleinburg and Nashville's heritage villages.

What the City has now proposed for our area is to go from a population of under 4000 to 21000 over the next 21 years. This is a huge proposed increase over a very short time period.

The Kleinburg/Nashville area is already slated to have an increase in population to approximately 16000. Much of this increase is to the south of the villages and traffic is expected to be handled on new Major Mackenzie, Hwy 27, and Hwy 427 improvements. Adding another 6500 residents to the north of the villages, as is suggested in this plan, where there is no transportation or transit infrastructure will have devastating effects on our historic villages. We have heard that traffic from these new residents will be accommodated by 'tweaking' the existing network. Huntington, Nashville, Islington, and Stegman's Mill are two

P.O. Box 202, Kleinburg, Ontario, L0J 1C0

Email: kara@kara-inc.ca Website: www.kara-inc.ca

lane roads which we expect to remain as such, in keeping with the rural village feel of the area. These are not arterial roads. How do you tweak a two lane road to accommodate more traffic? I encourage those engaged in this process to stand in front of the Kline House at any time on any day and observe the current traffic. Imagine then what it will be like when 10,000 more people are added in the immediate area. Our belief is that the addition of yet another 6500 people, on the north sides of the villages, will eventually lead to the requirement of 4 lane roads through the villages, resulting in the destruction of the village feel we are so desperately trying to maintain.

At our request, the City's recommendation to reduce maximum building heights from 5 storeys to 3, in areas 2, 5 & 6 is greatly appreciated. We agree this is more in keeping with the Kleinburg/Nashville area. The minimum height of 2 stories, however, we believe should be removed. This would preclude any single story ranch or bungalows which are common in the area.

There is mention of a potential GO station in the "Major Mackenzie Drive and Nashville area". We are in favour of a GO station at Major Mackenzie, but not near Nashville Road. The facility and resulting traffic in Nashville is not in keeping with the historic village feel of the area.

The language in the latest version of the plan refers to densities as targets rather than minimums. While we appreciate the change, we still feel very strongly that these targets are far too high and will result in the ultimate demise of the heritage district. These communities in areas 2, 5&6, are too remote and isolated to be properly serviced, especially by transit. Therefore, reliance on the automobile in these areas is inevitable. As a result, we do not believe the communities in areas 2, 5&6 can be built to be truly sustainable.

The decisions being made now will result in the ultimate preservation or destruction of the heritage conservation district known as Kleinburg/Nashville. Please keep the density south of the villages where there will be appropriate infrastructure to accommodate it. Give Kleinburg and Nashville a chance to survive as a showpiece of Canadiana heritage, on the northern greenbelt boundary of the GTA.

Thank you.

Sincerely,

Ken Schwenger President, KARA

Den Jelwenger





WESTON CONSULTING GROUP INC.

'Land Use Planning Through Experience and Innovation'

July 26, 2011 WCGI File No. 3079-1

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

ATTENTION: Diana Birchall, Director of Policy Planning

Dear Ms. Birchall:

Re: City of Vaughan Official Plan 2010 and Lanada Investments Ltd.

8334 Islington Ave, City of Vaughan

POLICY PLANNING/URBAN DESIGN

JUL 2 6 2011

INITIAL

EILE

As you are aware, we made both written and verbal submissions to the City's Official Plan, Volume 1 and 2 with regard to the above property on Islington Avenue for increased coverage, an FSI of 1.5 and building heights up to 6 stories. A copy of that submission is attached. We had concerns with building height and the bonousing approach in the Woodbridge Area Centre Secondary Plan. We continue to have these concerns.

Furhter, you are probably aware that Peter Weston, Mark Emery and myself met on July 7th, 2011 with your new Commissioner of Planning, John Mackenzie, and John Zipay, the former commissioner, to discusses the Lanada property and its planning context today since the adoption of the new Official Plan 2010 in September 2010. A copy of our correspondence in this regard, dated January 3, 2011 is attached.

One very specific change that has occurred in the area is in respect to the adjoining properties at 8294, 8298 and 8302 Islington Avenue. The Woodbridge Centre Secondary Plan (Official Plan, Volume 2) designated the properties on the same basis as 8334 Islington Avenue. However, the recent OMB decision Feb 22, 2011, the result of a settlement agreed to by the City planning staff and other parties, was to a substantial FSI increase, no bonusing requirements but including a number of sustainability features an other items of settlement.

We participated in the approval process for these properties and a copy of the OMB decision is attached. From our discussions with John Mackenzie and John Zippay on July 7th, 2011 we proposed and requested similar considerations for the Lanada Property at 8334 Islington Avenue. It was agreed to continue the dialogue with yourselves and others with respect to the City's new Official Plan for the Lanada lands and possible other abutting properties in the area.

Since 1981

Vaughan Office:

201 Millway Avenue, Unit 19, Vaughan, Ontario, L4K 5K8

Tel. 905-738-8080

Oakville Office:

1660 North Service Road East, Suite 114,

Oakville, Ontario, L6H 7G3

Tel. 905-844-8749

We did call yourself and Roy McQuillen to arrange a meeting to further discuss the matter. In the meantime, if you have questions, or require additional information then please call me anytime (ext 223).

Yours truly,

Weston Consulting Group Inc.

Per:

Peter J. Smith, MCD, MCIP, RPP

Senior Associate

CC John MacKenzie, Commissioner of Planning, City of Vaughan John Zipay, Consultant/Former Commissioner of Planning, City of Vaughan Roy McQuillin, Policy Manager, City of Vaughan Heather Konefat/Augustine Ko, Planning Department, Region of York Gerard Borean, Parente Borean, Solicitor, Lanada

WESTON CONSULTING GROUP INC. 'Land Use Planning Through Experience and Innovation'



January 3, 2011 File No. 3079

City of Vaughan Development Planning Dept. 2141 Major Mackenzie Dr. Vaughan, Ontario L6A 1T1

ATTENTION: Eugene Fera, Planner

Lucy D'Acunto, Administrative Assistant

Dear Sir:

Zoning By-law Amendment and Site Plan Amendment Applications, Re:

8334 Islington Avenue, Part of Lot 9, Conc. 7, City of Vaughan

City Files: Z.00.094 and DA.03.036

Further to your correspondence dated November 26, 2010 to our client Lanada Investments Inc., and our own direct subsequent discussions with yourselves we enclose the amount of \$380.00 being the Maintenance Fee to keep the files open for an additional year.

As you know the development potential and context of our clients lands has changed through the City's recent Official Plan Review. We have participated in this process.

Our client wants to consider his options in this regard as to continuing with the existing applications, or proposing revised or new applications. This will occur well within the next 12 months.

This is also to advise you that through our solicitor, Gerry Borean at Parente Borean, the Ontario Municipal Board was recently advised of the status of the applications. On this basis the Zoning By-law Amendment OMB File will remain open on the records.

We feel it is appropriate to meet and discuss the Lanada application in the very near future in January, 2011 prior to any final approvals of the City's Official Plan, or other applications e.g. Hartman House, in the immediate area.

Since 1981

Vaughan Office:

201 Millway Avenue, Unit 19, Vaughan, Ontario, L4K 5K8

Tel. 905-738-8080

Oakville Office:

1660 North Service Road East, Suite 114, Oakville, Ontario, L6H 7G3

Tel. 905-844-8749

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

If there are any further questions or information required then please contact the undersigned at any time.

Yours truly,

Weston Consulting Group Inc.

Per:

Peter J. Smith, MCD, MCIP, RPP

Senior Associate

PJS:cm

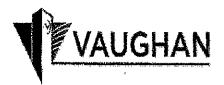
cc Sam Lancieri, Principal, Lanada Investments Inc.

" Gerry Borean, Parente Borean, Solicitor, Lanada

" Grant Uyeyama, Director of Development Planning, Vaughan

" Dorianne Squadrilla, Development Planning Dept.

" John Sinopoli, Climans, Green, Liang Architects



November 26, 2010

Lanada Investments Inc. 8334 Islington Avenue Woodbridge, Ontario L4L 1W8

RE:

Zoning By-Law Amendment and Site Plan Amendment Applications

8334 Islington Avenue

Part of Lot 9, Concession 7, City of Vaughan

Files: Z.00.094 and DA.03.036

The Development Planning Department is presently reviewing all outstanding development applications and your proposal to permit a medium density development on the subject land appears to have been inactive for almost 2 years now.

Please be advised that Council adopted the following motion:

"That if a land use application is inactive for a period of (1) one year, the applicant be advised that the file will be closed unless sufficient justification to do otherwise is provided by the applicant."

Development Planning Staff note that the last correspondence in our file was on (March 10, 2008). The application has remained inactive since that time. Unless justification can be provided that this file should remain open, the file will be closed.

If you intend to proceed with the application by keeping the files open for an additional one (1) year, please contact the undersigned at (905) 832-8585, extension 8064, in writing prior to January 5; 2011, together with a \$380.00 Maintenance Fee in accordance with Planning Application Fee By-law 170-2009. The cheque should quote the above-noted Planning Application File Numbers and be sent to the attention of Lucy D'Acunto, Development Planning Department.

Sincerely,

Elleene Fera

Planner, Development Planning Department

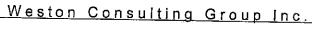
Copy to:

Dorianne Squadrilla, Development Planning Department

Lucy D'Acunto, Administrative Assistant, Development Planning Department

Weston Consulting Group Inc. Peter J Smith (via fax) Grant Uyeyama, Director of Development Planning

11/25/2010 H:WEWblank, Letterhead,xmlLanada



'Land Use Planning Through Experience and Innovation'

June 14, 2010 WCGI File No. 5235

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

ATTENTION: Jeffrey Abrams, City Clerk

Dear Sir.

Re:

File Number OP.25.1 – City of Vaughan Draft Official Plan, April 27, 2010 – Revised Comments Regarding 8334 Islington Avenue, Lanada Investments Ltd.

Weston Consulting Group Inc. (WCGI) represents Lanada Investments Ltd, owners of approximately 0.608 hectares (1.502 acres) located at 8334 Islington Avenue, Woodbridge (subject lands). This is a further and revised submission to our May 17, 2010 submission.

We have reviewed the draft parent (Volume 1) Official Plan for Vaughan, as well as the Volume 2 draft Woodbridge Centre Secondary Plan, and have comments and concerns with respect to the designations proposed for the subject lands — H 3.5 and D 0.5 — Schedule 13 Q, which is H (Height) 3.5 storeys, and D (Floor Space Index) 0.5. The same designations are shown on Schedules 3 and 4 of the Woodbridge Centre Secondary Plan. These are the present designations under the existing overall Official Plan No. 597 for the area and Lanada's site specific Official Plan No. 586. The latter was approved in December 2002 by the Ontario Municipal Board (OMB) for medium density residential purposes.

We believe that a higher density and building height is now more appropriate given the City's directive to respond under the more recent provincial Places to Grow Plan, 2006 and the focus on residential intensification as Provincial Policy. Attached are revisions to Official Plan Schedules 13-Q and Schedules 3 and 4 that request a building height of six (6) storeys and a Floor Space Index of 1.5 site area for the subject lands. This is more in keeping with respect to the adjoining application to the south — Hartman (City File OP.08.013). We request a similar designation on Schedules 3 and 4 of the Woodbridge Centre Secondary Plan.

Previously as part of the City's Official Plan Review program, we prepared a detailed review and analysis of intensification of the Islington Avenue Corridor. This was in conjunction with

Balor Development Services Ltd., and was dated November, 2009. This suggested that a more intensive residential development can occur on the subject lands, and also those fronting onto Islington Avenue being Nos. 8310 to 8328 Islington Avenue. No response has been received since our meeting with Urban Strategies in November 2009. We understood the City would consider more intensive development along the Islington Avenue Corridor.

Finally, both the overall City Official Plan and the draft Woodbridge Centre Secondary Plan contain bonusing provisions and criteria that enable development density and building height to be substantially increased in return for providing additional funds, facilities, and design amenities in a project. Clearly, this will increase housing costs and may not always be beneficial or marketable in meeting new housing supply and needs. Bonusing has some value to the housing industry and the municipalities when applied in a moderate and limited way. It is a tool that should be used in a careful and selective manner. Density Bonusing proposed for the subject lands in the Woodbridge Centre Secondary Plan is up to 100%. This cannot be achieved in this location and provide housing that is affordable. A more reasonable and realistic bonusing factor in our experience is 10% to 20%, hence our request for greater initial height and density.

We ask that the above matters be considered in relation to the Islington Avenue Intensification Corridor.

Please provide us with any Notice of Decision with respect to these matters (Volumes 1 and 2).

Yours truly,

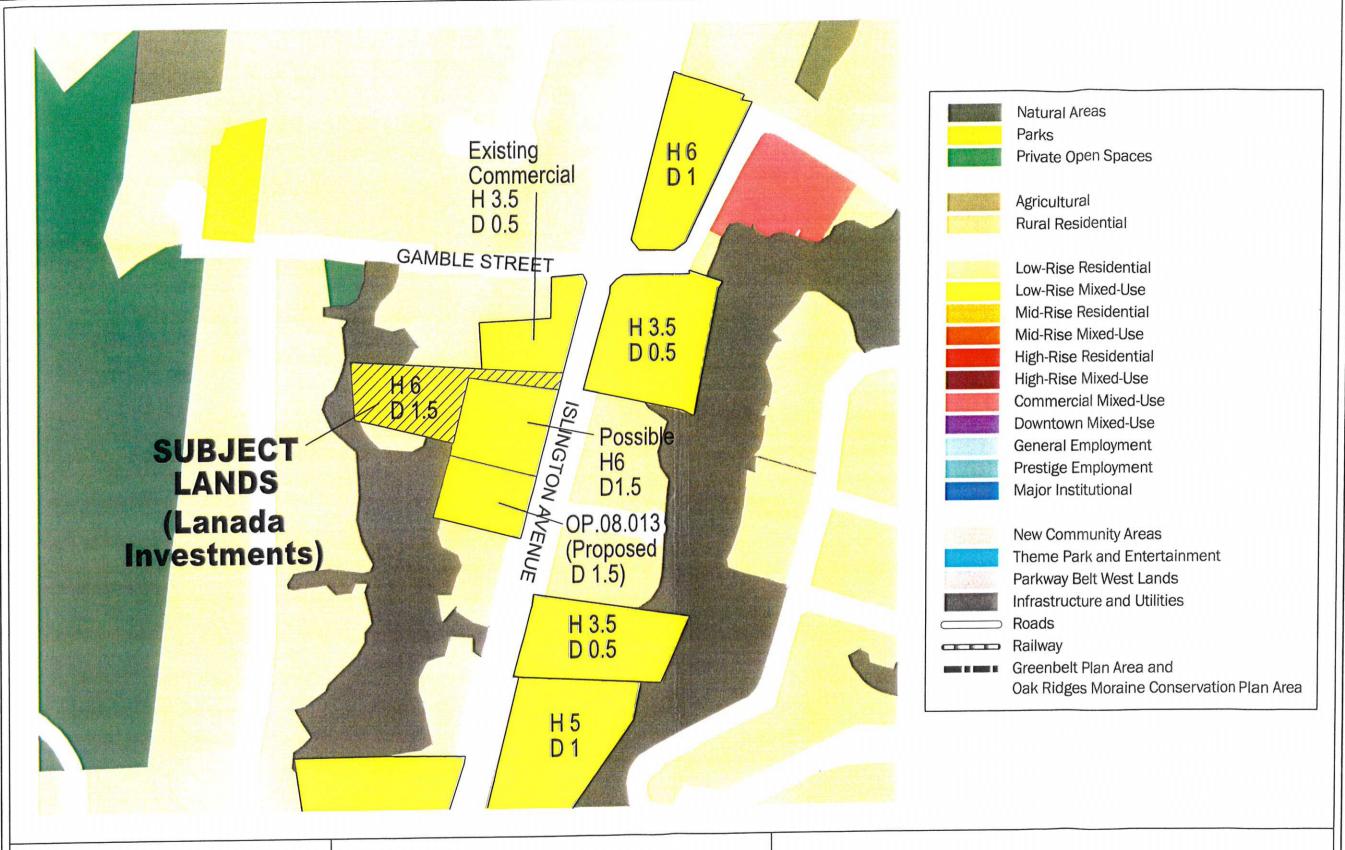
Weston Consulting Group Inc.

Per:

Peter J. Smith, MCD, MCIP, RPP

Senior Associate

CC. Sam Lancieri, Lanada Investment Ltd.
Mauro Peverini, Planning Department, City of Vaughan
Councillor Tony Carella, Ward Councillor





WESTON CONSULTING GROUP INC.



	File No:	5235
	Date Drawn	n: May 25, 2010
	Drown By:	mh/sb/sm
	Planner:	ps
	Scale:	not to scale
CAD FILE: 523	5/schedules/d	op modification.dgn

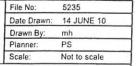
SUBJECT LANDS RE-DESIGNATED TO H6 AND D1.5

Source: Vaughan Official Plan (Draft) Schedule 13-Q, April 2010

PROPOSED MODIFICATION TO **CITY OF VAUGHAN DRAFT OFFICIAL PLAN SCHEDULE 13-Q**

Density Ranges and Maximums - Schedule 3 D0.3 D0.3 D0.5 D0.3 D0.5 D1.5 D0.3 Kipling Avenue Corridor Secondary Plan Legend Area Mid-Rise Mixed Use Mid-Rise Residential D1.0 D0.7 Low Rise Mixed-Use Low Rise Residential (3) Low Rise Residential (2) D1.2-1.5 Low Rise Residential (1) Low Rise Residential Gas Station Commercial Mixed Use (1) DO.3 D0.3 Private Open Spaces Parks Natural Areas Plan Boundary WESTON CONSULTING GROUP INC.





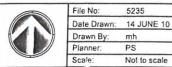


Source: Vaughan Official Plan (Draft) Schedule 3 Density Ranges and Maximums April 2010 PROPOSED MODIFICATION TO CITY OF VAUGHAN DRAFT OFFICIAL PLAN SCHEDULE 3 Density Ranges and Maximums

Building Height Maximums - Schedule 4 H2 H2 H2 H2 H 6.0-7.0 H2 **Kipling Avenue** Corridor Secondary Plan Area H7 Legend 19m (6 storeys) 16m (5 storeys) H2 13m (4 storeys) H2 12m (3.5 storeys) 11m (3 storeys) 9.5m (2 storeys) Plan Boundary



WESTON CONSULTING GROUP INC.



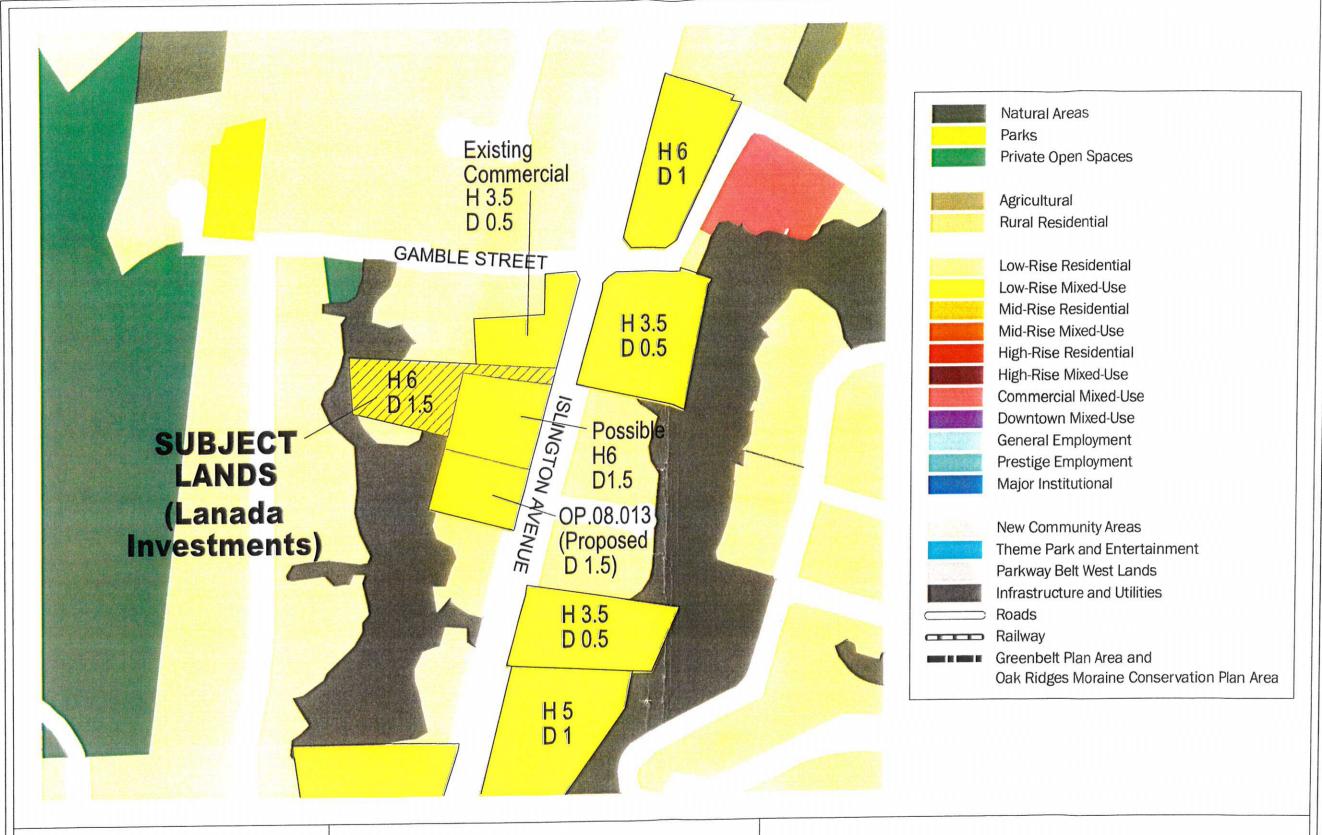


SUBJECT LANDS RE-DESIGNATED TO H 6.0-7.0

Vaughan Official Plan (Draft) Schedule 4 Building Height Maximums April 2010

PROPOSED MODIFICATION TO **CITY OF VAUGHAN** DRAFT OFFICIAL PLAN **SCHEDULE 4 Building Height Maximums**

5 pourts





WESTON CONSULTING GROUP INC.



	File No:	5235
	Date Drawn	Moy 25, 2010
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	Scale:	not to scale



SUBJECT LANDS RE-DESIGNATED TO H6 AND D1.5

Source: Vaughan Official Plan (Draft) Schedule 13-Q, April 2010

PROPOSED MODIFICATION TO **CITY OF VAUGHAN DRAFT OFFICIAL PLAN SCHEDULE 13-Q**

ISSUE DATE:

FEB. 22, 2011



PL100348

Ontario Municipal Board Commission des affaires municipales de l'Ontario

2174824 Ontario Inc., has appealed to the Ontario Municipal Board under subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from Council's neglect to enact a proposed site specific amendment to the Official Plan for the City of Vaughan to redesignate the lands respecting 8294, 8298 and 8302 Islington Avenue from "Medium Density Residential" to "High Density Residential" and to increase the maximum permitted density from 1.0 FSI to 1.53 FSI and the maximum permitted building height from 3 ½-storeys to 4-storeys in order to facilitate the development of two apartment buildings

Municipal File No.: OP.08.013 OMB File No.: PL100348

2174824 Ontario Inc., has appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from Council's neglect to enact a proposed amendment to Zoning By-law 1-88 to rezone the lands respecting 8294, 8298 and 8302 Islington Avenue from "R2 Residential Zone" to "RA3 Apartment Residential Zone" with exceptions in order to facilitate the development of two apartment buildings

Municipal File No.: Z.08.048 OMB File No.: PL100349

APPEARANCES:

Parties	Counsel*/Agent
Contract of the last of the la	

2174824 Ontario Inc. G. Borean*

City of Vaughan C. Storto*

Toronto Region and Conservation Authority C. Smith

DECISION DELIVERED BY J. CHEE-HING AND PARTIAL ORDER OF THE BOARD

At the onset of the hearing, the Board was advised that these matters have now been settled among the Parties.

By way of background, the Applicant and Appellant to these matters (2174824 Ontario Inc.) own the lands located at 8294, 8298 and 8302 Islington Avenue (the "subject lands") in the City of Vaughan ("Vaughan"). In 2008, the Applicant had initially

proposed to consolidate these properties and construct an 85 unit residential condominium complex consisting of two four-storey buildings connected by a walkway bridge. The proposed density as measured by the Floor Space Index ("FSI") for that proposal was 1.53 FSI. Site specific amendments to the Official Plan ("OP") and the Zoning By-Law ("ZBL") were required to permit this development proposal. The OP would be amended to change the designation of the subject lands from Medium to High Density Residential, increase the density from 1.0 FSI to 1.53 FSI and increase the maximum permitted building height from 3.5 to 4 storeys. The ZBL would be amended to rezone the subject lands from R2 Residential Zone to RA3 Apartment Residential Zone with site specific performance standards to permit the proposal. Vaughan Council failed to make a decision on these applications within the statutory period and the Applicant subsequently appealed Council's non-decision to this Board in March of 2010.

Since the original proposal was presented to Vaughan in 2008, the Applicant has redesigned his proposal several times and the most recent iteration was considered by Vaughan Council on January 25, 2011. That proposal was for a seven storey residential apartment building consisting of 94 units with an FSI of 1.53. While the density (FSI) remained the same, the building design changed in that a greater height was sought and one rather than two buildings was proposed. Vaughan Council refused the applications for amendment to the OPA and ZBL for the seven storey proposal. Several Prehearing Conferences were held by this Board in preparation for the hearing into these appeals.

At the hearing and on consent of all the Parties, the Applicant's planner (Ms R. Humphries) gave professional planning evidence on the Minutes of Settlement and the proposed amendments to the OP and the ZBL.

The Settlement:

Ms Humphries testified that the Minutes of Settlement (Exhibit 6) provide for the following:

- The Applicant will reduce the proposal from seven storeys to a tiered building height ranging from three to five storeys.
- 2. The maximum permitted density has been reduced from 1.53 to 1.35 FSI. The unit count is 88 units.

- 3. The subject lands have been re-designated High Density Residential and Environmental Protection Area and rezoned as Apartment Residential (RA3H) and Open Space Conservation (OS1).
- A Holding Symbol "H" has been placed on the subject lands.
- 5. The Applicant has agreed to complete a number of sustainability features listed in Schedule "C", a more extensive green roof system, intensive landscaping and planting plans for the site to the satisfaction of the City and the Toronto Region Conservation Authority.
- 6. Amendments to the OP and the ZBL to reflect the revised changes to the building proposal, the site layout and the building envelope as shown in Exhibits 7 and 8;
- 7. The Applicant agrees that no subsequent land use planning applications that may be permitted under the *Planning Act* to increase height or density for the subject lands shall be filed or brought forward by the Applicant. The Minutes of Settlement shall be registered against title to the subject lands.

It is the planner's evidence that the revised proposal as detailed in Exhibit 5 is a less intense use of the site when compared with the previous proposal and would be more compatible with the surrounding built forms found in the area. It is her planning opinion that the development is appropriate for the subject lands and responds to the provincial and regional direction for accommodating residential intensification in areas that are supported by public transit.

It is her opinion that the proposed amendments to the OP and ZBL, to implement the revised proposal, represent good planning. The proposed OPA conforms to the Vaughan and the Region Official Plans. It is consistent with the residential intensification policies of the Provincial Policy Statement (2005) and conforms to similar residential intensification polices found in the Growth Plan. The proposed amendment to the ZBL conforms to the Vaughan OP and it is not premature.

The Board accepts the planning evidence of the Planner on the Minutes of Settlement and the proposed amendments to the OP and the ZBL to permit the revised proposal. The Parties have requested the Board to approve the proposed OPA and



331 Cityview Boulevard, Suite 300 Vaughan, Ontario L4H 3M3 Tel: (905) 832-2023

Fax: (905) 832-1926

February 7, 2011

Roy McQuillin, Manager of Policy Planning Mauro Peverini, Manager of Development Planning Melissa Rossi, Planner City of Vaughan Planning Department 2141 Major Mackenzie Drive Vaughan, ON L6A 1T1 roy.mcquillin@vaughan.ca mauro.peverini@vaughan.ca melissa.rossi@vaughan.ca

Re: Request for Modification to the Adopted Official Plan relating to: Block 272, 65M-3898 and Zachary Place (southeast corner of Weston Road and Retreat Boulevard)
Ozner Corporation (South)

We provided written comments on the Draft Official Plan and made a deputation at the public meeting regarding the proposed policies specifically as they relate to the abovenoted lands. For reference a copy of our original letters dated May 14 and July 28, 2010 are attached.

Our original proposal for the site was an 8 to 10 storey residential mid-rise building with an FSI of 2.7. We have revised our proposed plan slightly (terraced height of 12 storeys with an approximate FSI of 3.4) and as a result I have also attached a copy of our latest plan.

Based on the following rationale, we feel our proposal is appropriate for the site:

- Due to the approved Official Plan and Zoning By-law Amendments for the Smartcentres lands to our south, there is neither need nor demand for additional commercial space within the community or specifically on our site.
- While the Smartcentres site is also designated Mid-rise Mixed Use with the same height and density permissions, it is unlikely that its site will ever contain residential uses nor the height permitted.
- Our proposal would provide intensification along a transit route and have minor impact on traffic within the existing community.
- Our proposal offers a form of residential dwelling presently not available in the community.

In the adopted Official Plan, our lands have been designated Mid-rise Mixed Use with a maximum height of 6 storeys and a maximum FSI of 2.0 (for reference, Schedule 13-H of

the adopted Official Plan is also attached). As currently adopted, we would require an Official Plan Amendment to proceed with our proposed mid-rise building.

It is our understanding that as the result of a recently approved motion by Council, a request for modification to the adopted Official Plan is going to be made to the Region's Planning Department.

Based on the above, I would respectfully request that the request for modification made to the Region include permissions to allow the proposed residential building on our site. More specifically that the designation be changed from Mid-rise Mixed Use to Mid-rise Residential with a maximum height of 12 storeys and a maximum FSI of 3.45.

I look forward to discussing our request with you. In the meantime, if you have any questions or require additional information, please do not hesitate to call. I can be reached either by phone (416-936-3760) or by email (john@lormelhomes.com).

Regards,

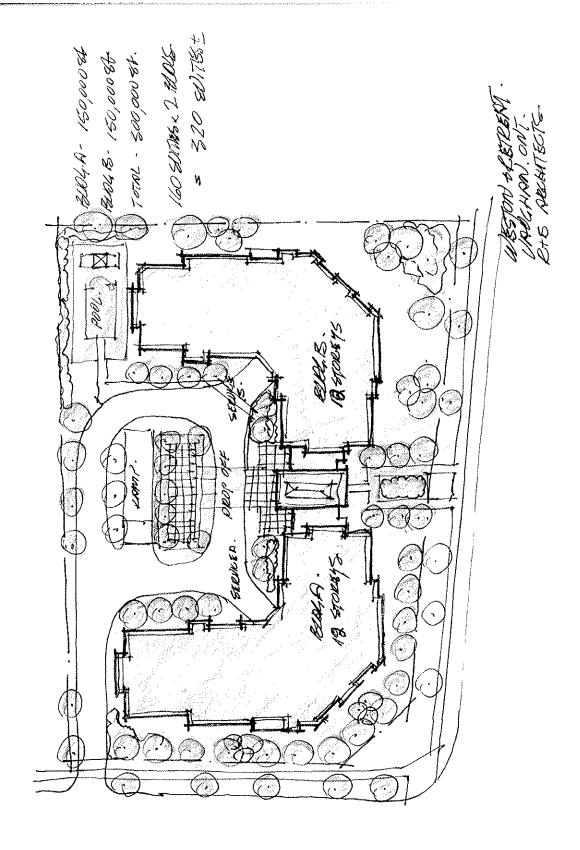
Ozner Corporation (South)

John Taglieri, MCIP, RPP

Planner

cc- Elvio De Meneghi, Ivonis De Meneghi, Scott Young, Lormel Homes Rosemarie Humphries, Humphries Planning Group Inc.





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September 2010



331 Cityview Boulevard, Suite 300 Vaughan, Ontario L4H 3M3

Tel: (905) 832-2023 Fax: (905) 832-1926

July 28, 2010

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

Via E-mail: jeffrey.abrams@vaughan.ca

Dear Mr. Abrams,

Re: Response to Staff Draft Official Plan Recommendations relating to: Block 272, 65M-3898 and Zachary Place (southeast corner of Weston Road and Retreat Boulevard)
Ozner Corporation (South)

We provided written comments on the Draft Official Plan and made a deputation at the public meeting regarding the proposed policies specifically as they relate to the above-noted lands. For reference a copy of our original letter dated May 14, 2010 is attached.

The following is a brief summary of discussions held with staff regarding our May 14th letter:

- Staff had indicated to us verbally that although they did not have particular issue with our proposal, they would prefer an 8 storey building rather than 10 storeys on the site.
- In our discussions our proposed FSI of 2.7 was not identified as a concern.
- Staff indicated to us verbally that they would support the extension of the commercial block south to abut Smartcentres and would support the removal of the requirement for the commercial component on this block.

We have had an opportunity to review the Staff response to our comments and in-turn provide the following additional comments:

- Staff has recommended that the commercial block be extended south to abut Smartcentres and be re-designated to 'Mid-Rise Mixed Use' with a maximum height of 6 storeys and FSI of 2.0.
- We note that Schedules 13 and 13-I have not been amended to reflect Staff's recommendation.
- We are proposing a 10 storey building with terracing from the east toward Weston Road. The building will average approximately 8 storeys in height.

- The recommendation by staff does not support what was discussed subsequent to our May 14th submission.
- In our opinion we have made valid Planning arguments for amending the proposed Official Plan policies as indicated in our original submission.

Based on the above, we would greatly appreciate the opportunity to once again meet with Planning Staff in an attempt to refine the draft Official Plan policies to permit our proposed development prior to endorsement of the Plan by Committee of the Whole and Council.

If you have any questions or require additional information, please do not hesitate to call. I can be reached either by phone (416-936-3760) or by email (john@lormelhomes.com).

Regards,

Ozner Corporation (South)

John Taglieri, MCIP, RPP

Planner

cc- Mauro Peverini, City of Vaughan Planning Department Elvio De Meneghi, Ivonis De Meneghi, Scott Young, Lormel Homes





30 Pennsylvania Ave; Unit 16 Concord, Ontario L4K 4A5 Tel: (905) 669-2023 Fax: (905) 669-1925

May 14, 2010

Jeffrey Abrams, City Clerk City of Vaughan Clerk's Department 2141 Major Mackenzie Drive Vaughan, ON L6A 1T1 Via E-mail: jeffrey.abrams@vaughan.ca

Dear Mr. Abrams,

Re: Comments on City of Vaughan Draft Official Plan released April 27, 2010 and it's implications on:
Block 272, 65M-3898 and Zachary Place (southeast corner of Weston Road and Retreat Boulevard)
Ozner Corporation (South)

Ozner Corporation (South) is the owner of the above-captioned lands. We have reviewed the proposed policies in the draft Official Plan released April 27, 2010 and are in agreement with many of the policies, however we offer the following comments as they relate to our above-captioned lands:

- Under the current OPA 650, our lands are designated Low-rise Residential;
- The draft new Official Plan proposes to change to our current designation to Low-Rise Mixed Use with a maximum height of 4 storeys and maximum FSI of 1.5 (for the commercial block). The is no change proposed for the Zachary Place lands;
- Our lands abut the Smartcentres (Major Weston Centres Limited) development to the south. Official Plan and Zoning By-law Amendment applications were approved July 2009 for the Smartcentres site;
- Due to the approval of the Smartcentres proposal and the anticipated range of commercial and service uses occupying the site, the commercial use of our Block 272 is no longer viable. In addition, Zachary Place can no longer be built as the originally planned crescent, resulting in unanticipated redesign costs and the loss of a number of residential lots;
- In light of the above, it is now our intention to extend the commercial block south to abut the Smartcentres site and convert the designation to Mid-Rise Residential (or similar) to permit an 8 to 10 storey residential condominium building with an approximate FSI of 2.7.
- In addition, we intend to terminate Zachary Place as a cul-de-sac.



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For illustration purposes, I have attached a plan indicating the proposed vs. our requested designation and a concept plan demonstrating our intentions for the lands.

In our opinion, extending and converting the commercial block to Mid-Rise Residential (or similar) would provide a form of housing presently not available in Vellore Village. In addition, it would provide intensification along a transit route and have minor impact on traffic within the Vellore Village community.

We respectfully request that the draft Official Plan policies be amended to permit the extension of the commercial block as illustrated and its conversion to Mid-Rise Residential or another appropriate designation to permit an 8 to 10 storey residential condominium building.

In addition, through this letter, we respectfully request to be added as a delegation at the Statutory Public Meeting scheduled for Monday May 17, 2010.

We look forward to working with Planning Staff in addressing our above comments.

If you have any questions or require additional information, please do not hesitate to call. I can be reached either by phone (905-669-2023) or by email (john@lormelhomes.com).

Regards,

Ozner Corporation (South)

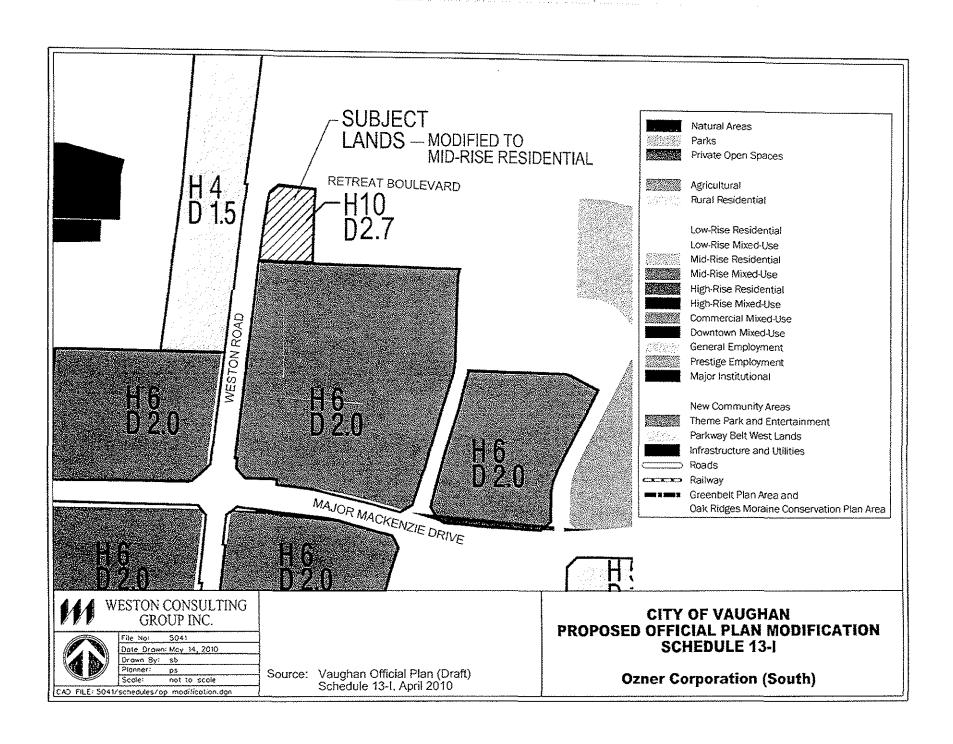
John Taglieri, MCIP, RPP

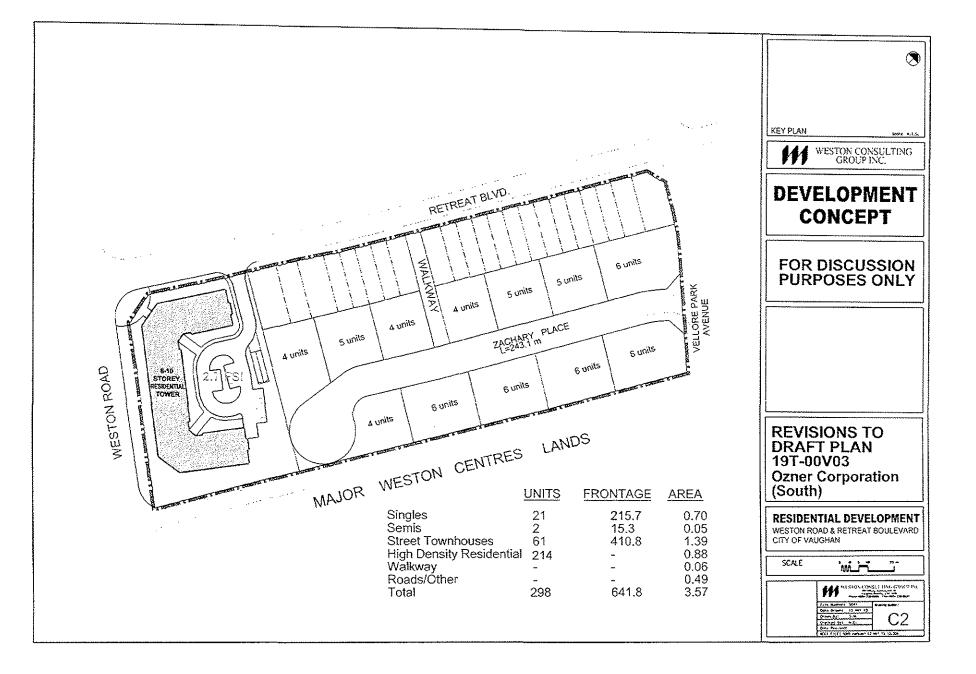
Planner

cc- Mauro Peverini, City of Vaughan Planning Department

Elvio De Meneghi, Ivonis De Meneghi, Scott Young, Lormel Homes

Peter Smith, Weston Consulting







331 Cityview Boulevard, Suite 300 Vaughan, Ontario L4H 3M3 Tel: (905) 832-2023

Fax: (905) 832-1926

February 7, 2011

Roy McQuillin, Manager of Policy Planning Mauro Peverini, Manager of Development Planning Melissa Rossi, Planner City of Vaughan Planning Department 2141 Major Mackenzie Drive Vaughan, ON L6A 1T1 roy.mcquillin@vaughan.ca mauro.peverini@vaughan.ca melissa.rossi@vaughan.ca

Re: Request for Modification to the Adopted Official Plan relating to: 3660 Rutherford Road
West Rutherford Properties Ltd.

We provided written comments on the Draft Official Plan and made a deputation at the public meeting regarding the proposed policies specifically as they relate to the abovenoted lands. For reference a copy of our original letters dated May 14 and July 28, 2010 are attached.

Our original proposal for the site was a 10 storey residential building on the south end of the site (at Rutherford Road), with block townhomes in the centre portion of the site and a row of single dwellings along Hawkview Boulevard. We have revised our plan slightly (one 14 storey building and one 12 storey building on the southern half of the site and rear lane townhomes on the northern half of the site. The approximate total FSI on the site is 2.37). Also attached is a copy of our revised proposed plan.

Based on the following rationale, we feel our proposal is appropriate for the site:

- Commercial uses, particularly ground floor retail uses as required in the adopted Official Plan will not be viable on the lands for the reasons that follow.
- The property is abutted by an Esso gas station on the east and a No Frills grocery store on the west. Access from Rutherford Road will likely only be granted as 'right-in, right-out'. This limited access will not provide the necessary access required for commercial uses. In addition, sharing access with the adjoining properties would be difficult because of substantial grade differences and would require extensive retaining walls.
- Furthermore the servicing of a major commercial and retail development just east of our site is currently underway. This commercial site will have a major impact on the 'tenant pool' available for our site.

- Our proposal is not out of context with the contemplated uses on the south side of Rutherford Road, directly opposite our site.
- The proposal as contemplated is sensitive to the existing community and provides a compatible interface.
- The proposed townhomes will provide a buffer between the proposed high density residential buildings and the existing Vellore Woods community.
- Our proposal would provide intensification along a major transit corridor.
- Our proposal offers a form of residential dwelling presently not available in the community.

In the adopted Official Plan, our lands have been designated Mid-rise Mixed Use with a maximum height of 6 storeys and a maximum FSI of 2.0 (for reference, Schedule 13-N of the adopted Official Plan is attached). As currently adopted, we would require an Official Plan Amendment to proceed with our proposed development.

It is our understanding that as the result of a recently approved motion by Council, a request for modification to the adopted Official Plan is going to be made to the Region's Planning Department.

Based on the above, I would respectfully request that the request for modification made to the Region include permissions to allow our proposed development on our site. More specifically that the designation be changed from Mid-rise Mixed Use to Mid-rise Residential with a maximum height of 12 storeys and a maximum FSI of 2.5.

I look forward to discussing our request with you. In the meantime, if you have any questions or require additional information, please do not hesitate to call. I can be reached either by phone (416-936-3760) or by email (john@lormelhomes.com).

Regards,

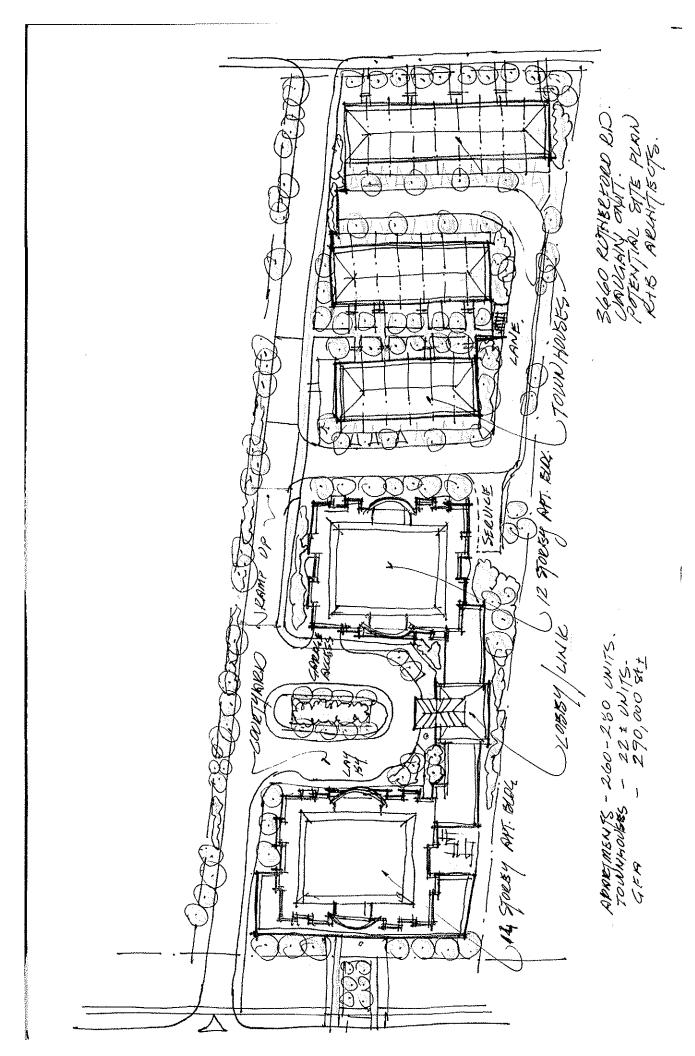
West Rutherford Properties Ltd.

John Taglieri, MCIP, RPP

Planner

cc- Elvio De Meneghi, Ivonis De Meneghi, Scott Young, Lormel Homes Rosemarie Humphries, Humphries Planning Group Inc.







331 Cityview Boulevard, Suite 300 Vaughan, Ontario 1441 3M3

Tel: (905) 832-2023 Fax: (905) 832-1926

July 28, 2010

Jeffrey Abrams, City Clerk City of Vaughan Clerk's Department 2141 Major Mackenzie Drive Vaughan, ON L6A 1T1 Via E-mail: jeffrey.abrams@vaughan.ca

Dear Mr. Abrams,

Re: Response to Staff Draft Official Plan Recommendations relating to: 3660 Rutherford Road
West Rutherford Properties Ltd.

We provided written comments on the Draft Official Plan and made a deputation at the public meeting regarding the proposed policies specifically as they relate to the abovenoted lands. For reference a copy of our original letter dated May 14, 2010 is attached.

In our original letter, we had requested:

• That the lands be designated 'Mid-rise Residential' instead of the proposed 'Mid-rise Mixed Use' to permit an 8 to 10 storey residential building with no commercial component required and an FSI of 2.5. Our proposed building at its highest point will be 10 storeys, however with terracing will average 8 storeys.

Planning Staff has commented that no change is recommended from the original proposed designation in the draft Official Plan.

We have had an opportunity to review the Staff response to our comments and in turn provide the following additional comments:

- Commercial uses, particularly ground floor retail uses as required in the draft Official Plan will not be viable on the lands.
- The property is abutted by an Esso gas station on the east and a No Frills grocery store on the west. Access from Rutherford Road will likely only be granted as 'right-in, right-out' and the configuration of the site, with its narrow frontage on Rutherford Road will limit the exposure that potential retail uses will have on the street, eliminating their ability to 'animate the street' as required in section 9.2.2.4.c of the draft Official Plan.

- Furthermore a major commercial and retail development was recently approved just east of our lands, having a major impact on the 'tenant pool' available for our site.
- The proposed designation for the lands on south side of Rutherford Road immediately opposite our property is to permit 8 storeys in height with an FSI of 2.5. Our request therefore is not out of context with what is proposed for the surrounding lands.
- In addition, we are required to continue the single-family homes along Hawkview Boulevard, provided a buffer from our proposed residential building and the existing Vellore Woods community.
- In our opinion the above are valid Planning arguments for amending the proposed Official Plan policies as indicated in our original submission.

Based on the above, we would greatly appreciate the opportunity to meet with your Planning Staff in an attempt to refine the draft Official Plan policies to permit our proposed development prior to endorsement of the Pan by Committee of the Whole and Council.

If you have any questions or require additional information, please do not hesitate to call. I can be reached either by phone (416-936-3760) or by email (john@lormelhomes.com).

Regards,

West Rutherford Properties Ltd.

John Taglieri, MCIP, RPP

Planner

cc- Mauro Peverini, City of Vaughan Planning Department Elvio De Meneghi, Ivonis De Meneghi, Scott Young, Lormel Homes





30 Pennsylvania Ave., Unit 16 Concord, Ontario L4K 4A5 Tel: (905) 669-2023 Fax: (905) 669-1925

May 14, 2010

Jeffrey Abrams, City Clerk City of Vaughan Clerk's Department 2141 Major Mackenzie Drive Vaughan, ON L6A 1T1 Via E-mail: jeffrey.abrams@vaughan.ca

Dear Mr. Abrams,

Re: Comments on City of Vaughan Draft Official Plan released April 27, 2010 and it's implications on:
3660 Rutherford Road
West Rutherford Properties Ltd.

West Rutherford Properties Ltd. is the owner of the above-captioned lands. We have reviewed the proposed policies in the draft Official Plan released April 27, 2010 and are in agreement with many of the policies, however we offer the following comments as they relate to our above-captioned lands:

- The above-captioned lands are in the community of Vellore Woods and are bound by Rutherford Road on the south, the Esso station and remnant parcel to the east, Hawkview Boulevard to the north and No Frills to the west;
- Under the current OPA 600, the northern portion of our property is designated Low-Density Residential and the southern portion is designated Medium-Density Residential/Commercial;
- The draft new Official Plan proposes to re-designate our property to Mid-Rise Mixed Use with a maximum height of 6 storeys and an FSI of 2.0.
- Under the draft new Official Plan, the property is located on a Primary Intensification Corridor.
- The area is already saturated with commercial uses. The addition of the uses contemplated by the recent Zoning By-law Amendment application on the east side of Vellore Woods Blvd, and the 'stand-alone' nature of our property makes the location of additional commercial uses on our site unviable.

As a result of the above, we respectfully request that the Mid-Rise Mixed Use designation be revised to Mid-Rise Residential (or similar) to permit a residential condominium building without any commercial component to it, increase the maximum height to 10 storeys and increase permitted FSI to 2.5. In addition to the mid-rise



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residential building, we have also included two townhouse blocks and five single-family lots along Hawkview Boulevard on the site. The townhouse blocks will transition between the mid-rise building and the single-family dwellings along and north of Hawkview Boulevard.

For illustration purposes, I have attached a schedule indicating the proposed vs. our requested designation and a concept plan demonstrating our intentions for the lands.

Developing the site with a residential condominium building closest to Rutherford Road, without a commercial component would provide a form of housing currently not available in Vellore Woods. A Mid-Rise Residential building would promote intensification along a Regional transit route/corridor consistent with Provincial and Regional policies and draft policies within the City's new Official Plan.

In addition, through this letter, we respectfully request to be added as a delegation at the Statutory Public Meeting scheduled for Monday May 17, 2010.

We look forward to working with Planning Staff in addressing our above comments.

If you have any questions or require additional information, please do not hesitate to call. I can be reached either by phone (905-669-2023) or by email (john@lormelhomes.com).

Regards,

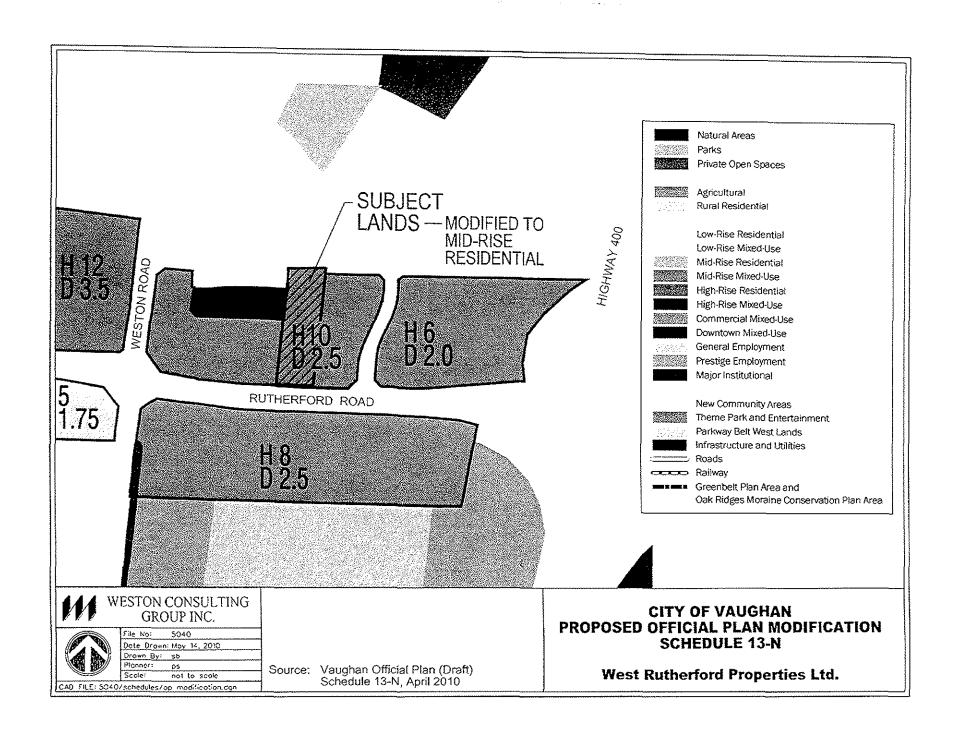
West Rutherford Properties Ltd.

John Taglieri, MCIP, RPP

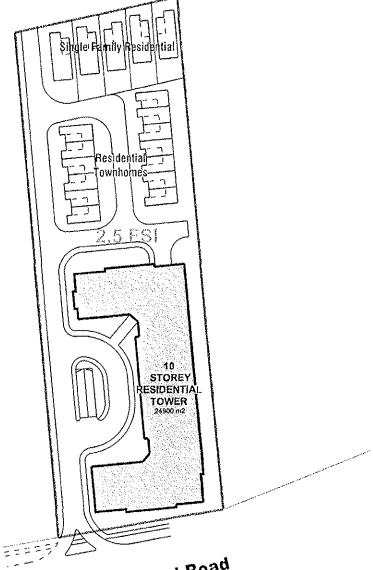
Planner

cc- Mauro Peverini, City of Vaughan Planning Department Elvio De Meneghi, Ivonis De Meneghi, Scott Young, Lormel Homes

Peter Smith, Weston Consulting



Hawkview Boulevard



FOR DISCUSSION PURPOSES ONLY

Rutherford Road



WESTON CONSULTING GROUP INC.

File No: Date Drawn: 13 MAY 10 Drawn By: SM Planner Scalo:

LEGEND

LAND AREA: 1,138 ha

DEVELOPMENT CONCEPT West Rutherford Properties Ltd.

RESIDENTIAL DEVELOPMENT

3660 RUTHERFORD ROAD CITY OF VAUGHAN

CAD File:5040/concepts/C2.dp/s

HUMPHRIES PLANNING GROUP INC.

September 13, 2010 HPGI File: 0449

Community Planning Branch Regional Municipality of York 17250 Yonge Street Newmarket, Ontario L3Y 6Z1

Attn: Mr. Duncan MacAskill

Senior Planner

Re: ROPA 52 – Vaughan 400 Employment Area

Deferral Area #2 - Proposed Residential Area

Further to the Decision of the Ontario Municipal Board issued on August 19th 2010 in respect of ROPA 52, we are corresponding on behalf of the Vaughan 400 North Landowners Group concerning related matters.

As you are aware, lands described as Deferral Area #2 were incorporated within the City of Vaughan Secondary Plan Area (OPA 637) and re-designated from Agricultural to Residential uses. However, this area was not included within the expanded Urban Area designation when ROPA 52 was adopted by Regional Council in December of 2009

It was understood that a further report to Regional Council would be forthcoming upon completion of the municipal comprehensive review by the Region and City. As you know, all required study work has come to a conclusion on these two fronts. In addition, our client has appealed OPA 637 to the Board.

We hereby request that Regional staff, at the earliest opportunity, prepare the necessary documentation to formally include the Deferral #2 lands into the urban area, which will enable an appropriate land use decision to be made for the area in OPA 637.

Attn: Mr. Duncan MacAskill Re: ROPA 52 – Deferral # 2 Area

September 13, 2010

I would be happy to discuss this matter at your convenience.

Yours truly,

HUMPHRIES PLANNING GROUP INC.

Rosemarie L. Humphries BA, MCIP, RPP

President

cc. Vaughan 400 North Landowners Group

Mr. John Zipay, Commissioner of Planning -City of Vaughan

Mr. Bryan Tuckey, Commission of Planning & Development Services - Region of York



Planning and Development Services Department

September 2, 2010

Ms. Sybil Fernandes
Deputy City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, On L6A 1T1

Dear Ms. Fernandes:

Re: Amendment No. 715 to the Official Plan for the City of Vaughan Planning Area

Healthcare Campus Centre

Attached is the Region's Notice of Decision with respect to the above captioned Official Plan Amendment.

Yours truly,

Maria-Leonis, MCIP, RPP

Planner

Encl.

cc. John Zippay, Commissioner of Planning & Development, City of Vaughan Quinto Annibale, Vaughan Health Care Campus (qannibale@loonix.com)

Regional Council

Ministry of Municipal Affairs and Housing (michael.fox@ontario.ca)

Ministry of Transportation (Margaret.mikolajczak@ontario.ca)

Toronto and Region Conservation Authority (khuang@trca.on.ca)

Regional Planning and Development Services Department (vi.bui@york.ca)

Regional Transportation Department (dan.terzievski@york.ca)

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Subject: Amendment No. 715 to the

Official Plan for the City of

Vaughan

File No.: OPA 715

Date of this notice: September 2, 2010 Last date of appeal: September 22, 2010

NOTICE OF DECISION

The Regional Municipality of York is assigned as the approval authority for this Official Plan Amendment. This notice of decision is given in accordance with Section 17(35) of the Planning Act (amended 2007) on behalf of Regional Council under authority of By-law No. A-175-95-43. The decision of The Regional Municipality of York is to **MODIFY and APPROVE** Amendment No. 715 to the Official Plan for the City of Vaughan.

Purpose and effect of this Amendment:

Amendment No. 715 to the City of Vaughan Official Plan amends Amendment No. 508, being a site specific Amendment for the expansion of the theme park, by establishing policy to develop a local urban centre focused around the development of a hospital and associated healthcare campus uses. In addition to the hospital uses, the subject site may facilitate other uses that are related to the primary healthcare function and more intensive forms of residential and employment uses.

The subject site is located at the northwest corner of Major Mackenzie Drive and Jane Street and comprises 33 hectares (82 acres) (refer to Figure 1).

Proposed Modifications to this Amendment:

Modifications to this Amendment, appended hereto as Attachment 1, include policy on travel demand management measures, road widenings and access points, enhancements to ecological features and functions, and clarifications to the Amendment.

Other applications affecting the subject lands:

N/A

For additional information:

A copy of this Official Plan Amendment as well as background information and the details of the decision will be available for inspection at the York Region Planning and Development Services Department (see address and telephone numbers at the end of this notice) from 8:30 am to 4:30 pm on regular business days. Please refer to the subject information and the File Number listed at the top of this notice. For assistance, please contact Maria Leonis, Planner, at 905-830-4444 ext. 1568 or maria.leonis@york.ca. A copy of the decision has also been supplied to the City of Vaughan Municipal Clerk and Planning Department.

When the decision will become final:

The decision of The Regional Municipality of York is final if a notice of appeal is not received before or on the last day for filing a notice of appeal.

Who may appeal:

As per Section 17(36) of the Planning Act, as amended, only the Minister, the applicant, and a person or public body who, before the plan was adopted, made oral submissions at a public meeting or written submissions to the council, may appeal the decision of the approval authority.

As per Section 8 of Ontario Regulation 543/06, only individuals, corporations, or public bodies may appeal a decision of the approval authority to the Ontario Municipal Board. A notice of appeal may not be made by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the plan was adopted, the person or public body made oral submissions at the public meeting or written submissions to the council or, in the opinion of the Ontario Municipal Board, there are reasonable grounds to add the person or public body as a party.

When and how you may appeal:

If you have objections to the decision, you may appeal all or part of the decision to the Ontario Municipal Board within 20 days after the date of this notice. Your notice of appeal, referring to the Subject information and File Number at the top of this notice, must be received in writing at the address at the end of this notice no later than 4:30 pm on the last date of appeal shown at the top of this notice. The notice of appeal must:

- 1) be filed with the approval authority.
- 2) set out the specific part of the proposed official plan or plan amendment to which the appeal applies,
- 3) set out the reasons for the appeal, and
- 4) be accompanied by the fee required by the Ontario Municipal Board (currently \$125.00 payable to the Minister of Finance for Ontario; contact the York Region Planning and Development Services Department for further information) and a fee of \$455.00 payable to The Regional Municipality of York for preparing the record to be submitted to the Board.

York Region Planning and

Development Services Department

York Region Administrative Centre

Box 147, 17250 Yonge Street

Newmarket, Ontario, L3Y 6Z1

Telephone:

(905) 830-4444

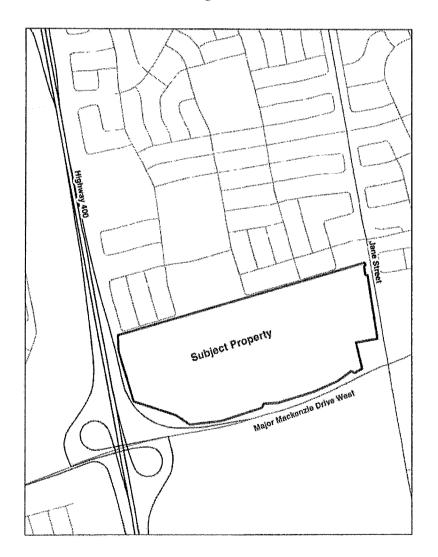
1-877-GO4-YORK (1-877-464-9675)

Facsimile:

(905) 895-3482

Heather Konefat, M.C.I.P., R.P.P. Director of Community Planning Dated September 2, 2010





Schedule 1

City of Vaughan Official Plan Amendment No. 715

MODIFICATIONS

Part B – The Amendment of Official Plan Amendment No. 715 shall be modified as follows:

- 1. Replace "Toronto Region Conservation Authority" with "Toronto and Region Conservation Authority", throughout the Amendment.
- 2. Modify Section 2.4 by adding d) as follows:

"Travel Demand Management (TDM) measures will be required as part of the development to reduce the single-occupant vehicle usage and to promote other modes of transportation such as walking, cycling, and public transit to and from the urban Centre."

3. Modify the first sentence in Section 2.5 d) so that it reads as follows:

"Where feasible, watercourses and stormwater ponds will provide for and enhance the ecological functions and the visual amenity of the Centre."

4. Replace Section 3.2 a) so that it reads as follows:

"The designation of Natural Areas within the Healthcare Campus Centre will be determined through the Hospital Precinct Plan and will include the tributary corridor of the West Don River and natural or constructed wetlands related to stormwater management. Landscaped berm areas may also be designated as Natural Areas if they are intended as permanent features and support natural vegetation or contribute to an ecological function or linkage. The specific location of these uses will be determined by the City of Vaughan in consultation with Toronto and Region Conservation Authority."

5. Add "if feasible" to Section 3.2 b) so that it reads as follows:

"Uses within Natural Areas shall be limited to pedestrian or cycling pathways, passive recreation, and environmental management activities, if feasible."

6. Add to the end of Section 4.0 c) the following:

"These major connection points are subject to further study as part of the Functional Master Plan and shall require approval from York Region."

7. Modify Section 4.0 e) so that it reads as follows:

"The Functional Master Plan shall be prepared in consultation with York Region and will establish necessary improvements to the Regional Road system including the potential expansion of Major Mackenzie Drive to six (6) through lanes of traffic during the interim phase to accommodate the traffic generated by the proposed development. If needed, these six (6) lanes of traffic shall include four (4) general purpose lanes and two (2) High Occupancy Vehicle lanes as per York Region's current policy".

8. Add a new Section 4.0 f) as follows, and renumber accordingly:

"The requirement for the 45 metre right-of-way along Major Mackenzie Drive is identified on Map 12 – Street Network in the York Region Official Plan. A 45 metre right-of-way is required to support rapid transit along Major Mackenzie Drive through this area in the future. The ultimate cross-section of Major Mackenzie Drive will include four (4) general purpose traffic lanes, two (2) dedicated lanes for rapid transit, additional width for turn lanes and transit stations subject to future Environmental Assessment studies."

9. Add to the end of Section 4.0 g) the following:

"All opportunities for pedestrian, bicycle, public transit and vehicular/emergency access to protect for and complete the transportation network will be identified and explored through the Functional Master Plan."

10. Add a new Section 4.0 h) as follows, and renumber accordingly:

"Pedestrian and cycling connections between the Healthcare Campus Centre and the existing residential community to the north shall be encouraged and provided where appropriate to increase accessibility and connectivity."

11. Modify Section 4.0 by adding n) as follows:

"Travel Demand Management (TDM) measures shall be identified and developed as part of this development to reduce the single-occupant vehicle usage and to promote other modes of transportation such as walking, cycling, and public transit to and from the proposed Healthcare Campus Centre and Special Study area."

12. Modify Section 5.0 f) so that it reads as follows:

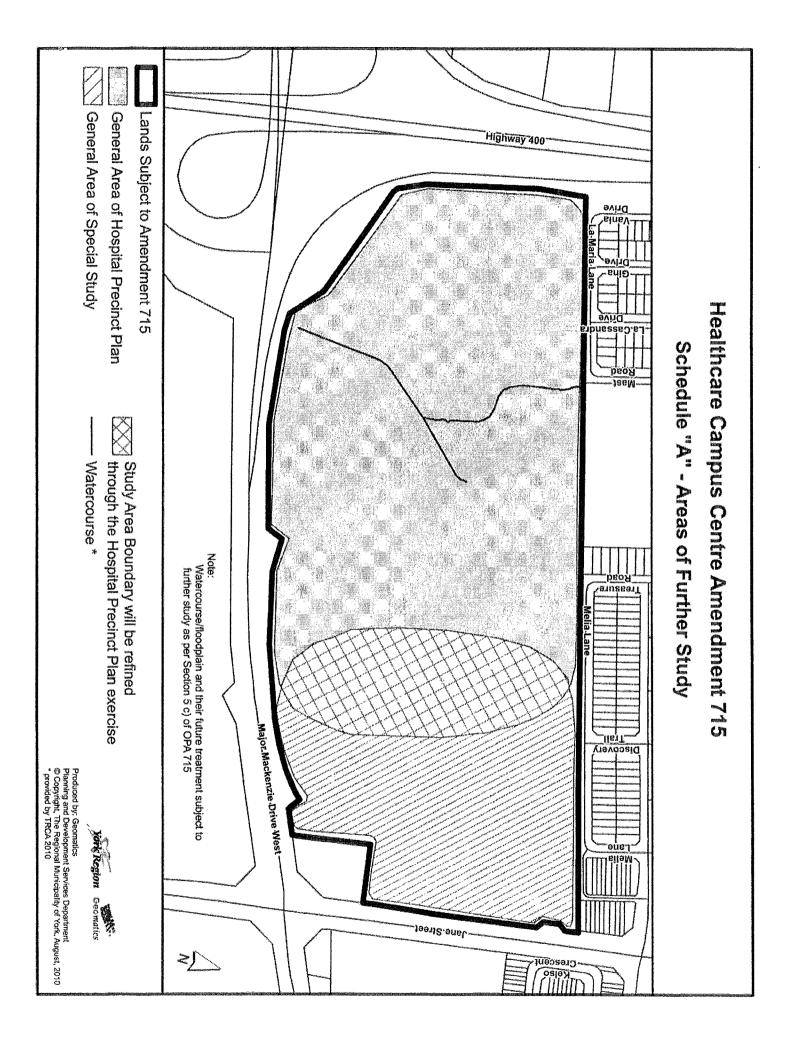
"Attention will be given to the location of the watercourse open space corridor to ensure that the ecological function of the feature is enhanced, where feasible. The type and location of the stormwater management ponds will be reviewed and approved by the City of Vaughan and the Toronto and Region Conservation Authority."

- 13. Add to the end of Section 6.1 b) i. "and Special Study Area,"
- 14. Modify Section 6.3 by adding v) as follows:

"Provisions for the ultimate treatment of the tributary of the West Don River and its restoration and/or enhancement have not been determined."

15. Replace Schedule "A" - Areas of Further Study, with the attached Schedule "A".

The purpose of these modifications is to provide clarity and ensure consistency within the proposed Official Plan Amendment. The modification does not change the intent of the Official Plan Amendment as adopted by the City of Vaughan.





5884 Rama Road, Suite 200 Rama, Ontario L0K 1T0

T 705.325.3611 F 705.325.0879

A Proud Progressive First Nation Community

November 9, 2010

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

Attention: Jeffrey A. Abrams, City Clerk

Official Plan Review-Volume 1 Re:

City-Wide Policies

Response to Public, Government and Agency Submissions

File 25.1 Wards 1 to 5

Dear Mr. Abrams:

H. Buchall M. Pevettini

As a member of the Williams Treaties First Nations, Rama First Nation acknowledges receipt of your letter of September 13, 2010, which was received on September 20, 2010.

A copy of your letter has been forwarded to Karry Sandy-McKenzie, Barrister & Solicitor, Coordinator for Williams Treaties First Nations for further review and response directly to you. Please direct all future correspondence and inquiries, with a copy to Rama First Nation, to Ms. Sandy-McKenzie at 8 Creswick Court, Barrie, ON L4M 2J7 or her e-mail address at k.a.sandy-mckenzie@rogers.com. Her telephone number is (705) 792-5087.

We appreciate your taking the time to share this important information with us.

Sincerely,

Chief Sharon Stinson Henry

Council, Rama First Nation c: Jeff Hewitt, General Counsel

> Karry Sandy-McKenzie, Coordinator Williams Treaties First Nations Chief Roland Monague Portfolio Chief for Williams Treaties Nations



October 1, 2010

File No. 4346



'Land Use Planning Through Experience and Innovation'

Mr. Bryan Tuckey Commissioner of Planning Regional Municipality of York 17250 Yonge Street 4th Floor Newmarket ON L3Y 6Z1

ATTENTION: Augustine Ko

Dear Sir:

Re: City of Vaughan Official Plan

West Vaughan Employment Area Secondary plan

Danlauton Holdings Ltd.

10335 Highway 50 - East side of Highway 50 between Major Mackenzie Drive

FILE

CITY OF VAUGHAN

POLICY PLANNING/URBAN DESIGN

RECEIVED

OCT 0 6 2010

and Nashville Road



Our clients are concerned with the following aspects of the West Vaughan Employment Area Secondary Plan, which forms part of the new City of Vaughan Official Plan:

- 1. The alignment of the proposed north/south collector road in Block 66 West (WVEA Schedule 1) which bisects the site of the waste transfer and recycling facility on the rear portion of the Danlauton lands, contrary to the site plan upon which a 2009 Ontario Municipal Board approval is based;
- The alignment of the proposed east/west road north of the Danlauton lands 2. (WVEA Schedule 1); and
- 3. The inclusion of high landscaping requirements in the Official Plan (WVEA 2.5.7).

The above items were explained to the City of Vaughan in the attached letter dated June 14. 2010.

Responding to items 1 and 2 above, the City indicated that the actual road alignments will be determined at the Block Plan stage. We do not consider that this is a satisfactory response since the Secondary Plan, which is intended to be a detailed planning exercise, is the statutory plan and will be given significant weight when the Block Plan is prepared. If the City

Since 1981

Vaughan Office:

201 Millway Avenue, Unit 19, Vaughan, Ontario, L4K 5K8

Tel. 905-738-8080

Oakville Office:

1660 North Service Road East, Suite 114,

Oakville, Ontario, L6H 7G3

Tel. 905-844-8749

wishes to defer to the Block Plan, the road network should be deleted from the Secondary Plan.

Responding to item 3 above, the City reduced the landscaping requirements, but our client continues to be concerned with the amount of landscaping that would be required, which will be in addition to the dedication of a total of four watercourse corridors and buffer areas on its property. We also continue to question the inclusion of zoning requirements in the Official Plan.

Finally, we would bring to your attention an error in the location of the "Designated Heritage Resource" as shown on Schedule 2 to the Secondary Plan. This building is located close to Highway 50 within the Danlauton property, not at the interior location shown on the schedule. Also, based on staff's comments in a Committee of the Whole report of February 19, 2008, we understand that this building is listed, but not designated. By copy of this letter to the City, we would request their confirmation as to the status.

We would be pleased to discuss the above items with a view to achieving a resolution by way of modification to the Official Plan.

We request to be provided with a notice of York Region's decision with respect to the City of Vaughan Official Plan. Please send a notice (1) to my attention, and (2) to Ms. Mary Flynn-Guglietti, McMillan LLP, Brookfield Place, 181 Bay Street, Suite 4400, Toronto M5J 2T3.

Yours truly,

Weston Consulting Group Inc.

Per:

Alan Young BES MSc MCIP RPP

Aran you

Senior Associate

cc. Sandra Mammone

Mary Flynn-Guglietti, McMillan LLP John Zipay, City of Vaughan Diana Birchall, City of Vaughan Grant Uyeyama, City of Vaughan

June 14, 2010 File No. 4346

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

Dear Sir.

Re:

West Vaughan Employment Area Secondary Plan (WVEA) - May 2010

10335 Highway 50 City of Vaughan OP.25.5.19

Weston Consulting Inc. (WCGI) is the planning consultant for Danlauton Holdings Ltd., ("Danlauton"), registered owner of the lands municipally known as 10355 Highway 50. This parcel is located within City of Vaughan Block 66 West.

WCGI has been monitoring the City's preparation of the new Official Plan as it relates to the subject property. We submitted a letter dated January 10, 2010, requesting a General Employment designation on the middle portion of the property where the waste transfer and recycling facility has been approved, and a Service Node designation on the front portion of the subject property adjacent to Highway 50.

On Thursday April 22, 2010, and on Monday, May 3, 2010, WCGI attended the City of Vaughan's Statutory Public Open Houses on the West Vaughan Employment Area Secondary Plan and the draft Official Plan. WCGI has also reviewed the draft Official Plan Volume 1 document (April 2010) and more recently the draft West Vaughan Employment Area Secondary Plan (May 2010).

On behalf of Danlauton., WCGI offers the following comments on the draft West Vaughan Employment Area Secondary Plan (May 2010) as it relates to the subject property:

1. We support the proposed designation of the subject lands for Prestige Employment on the front portion of the subject property adjacent to Highway 50, and General Employment on the middle portion of the subject lands (Schedule 3: Land Use). These designations are consistent with (1) the land use framework provided by OPA 450 and (2) the decision of the Ontario Municipal Board issued on June 17, 2009 to permit a waste transfer and recycling facility within the middle portion of the Danlauton lands (OMB File No. PL070448).

We would however request that consideration be given to allowing some commercial uses within the Prestige Employment designation along Highway 50, at signalized intersections. Under the current proposals, none would be allowed on the Danlauton parcel owing to its distance from the intersection of two arterial roads.

- 2. We strongly object to the proposed Transportation Network which shows the north/south collector road in the rear yard of the approved transfer facility. The road should be located to the west of the building, since the building has been designed to face west. The rear yard is needed for vehicular manoeuvring and the storage of recyclable materials. The collector road also needs to be further west to avoid crossing one of the tributaries at an oblique angle. We would recommend that TRCA input be obtained to refine the proposed internal road network.
- We would also question the location of the east-west street north of the Danlauton lands, which appears to leave a small residual area between the road and the Danlauton property. It would be more efficient and pragmatic to align the east/west roads along or straddling property lines.
- 4. Section 2.5.7 of the West Vaughan Employment Area Secondary Plan proposes a landscape open space requirement of 20% of the lot area for lands within the General Employment and 30% for the Prestige Employment designation.

On behalf of our client, we also strongly object to this policy. The proposed landscape requirement is a significant increase from the 5% landscape requirement in the current Zoning By-law 1-88.

We have reviewed the zoning by-laws of Mississauga, Brampton and Richmond Hill and found that the minimum landscaping requirements for employment areas are expressed as minimum widths of landscape strips along property boundaries. The resulting percentage of landscaping that would be required is approximately 3% when applied to an interior lot having the minimum frontage and size required by the Vaughan zoning by-law. On larger, square lots, the percentage of landscaping that is required is also around 3-4%. These requirements are well below what is proposed for the West Vaughan employment area.

The proposed landscape requirement will have a significant impact on the amount of land that will be available for development. It should be noted that large land areas will also need to be set aside for conservation areas, i.e. the watercourse corridors and buffer areas. The ability of the City to achieve the Growth Plan greenfield density target will be hampered by a requirement for a large amount of private landscaped open space, and the need to bring on new employment lands will be accordingly be accelerated by these proposals contrary to the intent of the Growth Plan.

In any event, it is our opinion that the inclusion of a mandatory, numeric landscaped open space requirement in an Official Plan is inappropriate. The Official Plan should address principles for landscaping. The numeric requirements should be left to the Zoning Bylaw.

We request that the City address the above comments in the preparation of the City's Official Plan.

If you have any questions or require additional information, please contact the undersigned.

Yours truly,

Weston Consulting Group Inc.

Per:

Alan Young, BES MSC MCIP RPP

Senior Associate

cc: Sandra Mammone, Danlauton Holdings Inc.

John Zipay, City of Vaughan Diana Birchall, City of Vaughan Melissa Rossi, City of Vaughan Pino DiMascio, Urban Strategies Emily Reisman, Urban Strategies

Dixon, Steven

From:

Rossi, Melissa

Sent:

Monday, July 18, 2011 8:44 AM

To:

Sicilia, Anna

Cc:

Chong, Clement; Dixon, Steven; McQuillin, Rov

Subject:

FW: New Vaughan Official Plan - 7818 and 7815 Dufferin Street

Importance: High

Attachments: DOC489.PDF; OP land use schedule Sept 7 2010.pdf

Hi Anna,

Are these lands part of the Dufferin and Centre street study?

Please refer to Rosemarie's email below.

Thanks. Melissa

Melissa Rossi, MES (PI), MCIP, RPP Policy Planner, Policy Planning Department City of Vaughan, 2141 Major Mackenzie Drive Vaughan ÖN L6A 171 Email: Melissa.Rossi@Vauahan.ca

www.vaughantomorrow.ca

From: Rosemarie Humphries [mailto:rhumphries@humphriesplanning.com]

Sent: Friday, July 15, 2011 9:36 PM To: McQuillin, Roy; Rossi, Melissa

Subject: New Vaughan Official Plan - 7818 and 7815 Dufferin Street

Importance: High

Good Evening:

Please be advised that Humphries Planning Group Inc. represents owners of land located at 7815 Dufferin Street (north of Centre Street, east side of Dufferin). It has come to our attention in reviewing the new Vaughan Official Plan that these lands have not been assigned a land use designation.

While we have not reviewed any historical documents to understand previous designations, we believe that a minimum height of 4 storeys and density of 1.5fsi would be appropriate for the subject site given the adopted heights and densities to both the immediate north and south limits of the properties.

My client has expressed an interest in having a low rise mixed use designation assigned to the landholdings.

I appreciate your attention to this matter and welcome the opportunity to meet with you both to discuss such further at your earliest convenience.

To assist, I have attached a partial survey plan identifying the subject site and extract from the new Vaughan Official plan.

Regards,

Rosemarie L. Humphries BA, MCIP, RPP President

HUMPHRIES PLANNING GROUP INC. 216 Chrislea Road, Suite 103. Vaughan L4L 8S5 t: 905.264.7678 ext 244 f: 905.264.8073

~DO SOMETHING GOOD EVERY DAY! ~

September 2010

