

Committee of the Whole (2) Report

DATE: Tuesday, June 21, 2022

WARD(S): 1

TITLE: FLEUR DE CAP DEVELOPMENT INC. & CUENCA
DEVELOPMENT INC.
ZONING BY-LAW AMENDMENT FILE Z.20.032
DRAFT PLAN OF SUBDIVISION FILE 19T-20V005
10980 JANE STREET
VICINITY OF JANE STREET AND TESTON ROAD

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Zoning By-law Amendment and Draft Plan of Subdivision Files Z.20.032 and 19T-20V005 for the subject lands shown on Attachment 2, to permit the development of a plan of subdivision consisting of employment, mixed-use employment/commercial and service node use blocks, natural heritage system blocks, stormwater management facilities and public roads as shown on Attachment 3.

Report Highlights

- The Owners propose to rezone the subject lands shown on Attachment 2 and seek approval of a plan of subdivision for employment, mixed-use employment/commercial and service node uses, natural heritage system blocks, stormwater management facilities and public roads as shown on Attachment 3
- Zoning By-law Amendment and Draft Plan of Subdivision Applications are required to permit the development
- The Development Planning Department supports the approval of the applications as they will permit a development that is consistent with the Provincial Policy Statement 2020, conforms to A Place to Grow - Growth Plan for the Greater Golden Horseshoe 2019, as amended, the York Region Official Plan 2010, Vaughan Official Plan 2010, is in keeping with the Block 34 East Block Plan and is compatible with the existing and planned land uses in the surrounding area

Recommendations

1. THAT Zoning By-law Amendment File Z.20.032 (Fleur de Cap Development Inc. & Cuenca Development Inc.) BE APPROVED, to amend Zoning By-law 1-88, to rezone the Subject Lands from “A Agricultural Zone” and “A Agricultural Zone” subject to site-specific Exception 9(53) as shown on Attachment 2, to “EM1 Prestige Employment Area Zone”, “EM2 General Employment Area Zone”, “C4 Neighbourhood Commercial Zone”, “C7 Service Commercial Zone” and “OS1 Open Space Conservation Zone” in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1, of this report, and the recommendations in this report.
2. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, to permit minor adjustments to the in-effect Zoning By-law before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands comes into full force and effect.
3. THAT Draft Plan of Subdivision File 19T-20V005 (Fleur de Cap Development Inc. & Cuenca Development Inc.) BE APPROVED SUBJECT TO THE CONDITIONS OF DRAFT PLAN OF SUBDIVISION APPROVAL set out in Attachment 1, to facilitate the Draft Plan of Subdivision as shown on Attachment 3.

Background

Location: The subject lands (the ‘Subject Lands’) shown on Attachment 2 are municipally known as 10980 Jane Street. The Subject Lands and the surrounding land uses are shown on Attachment 2. The Subject Lands are currently vacant.

Public Notice was provided in accordance with the Planning Act and Council’s Notification Protocol

The City on December 23, 2020, mailed a Notice of a Public Meeting to all property owners within 150 m radius from the Subject Lands, all properties south of Teston Road to Ahmadiyya Avenue including Zafarullah Khan Crescent and 200 m east of Jane Street and the MacKenzie Ridge Ratepayers Association.

A copy of the Notice of Public Meeting was also posted on the City’s website at www.vaughan.ca and a Notice Sign was installed along Jane Street and Teston Road frontages of the property in accordance with the City’s Notice Signs Procedures and Protocols.

A Committee of the Whole (Public Meeting) was held on January 19, 2021, to receive comments from the public and the Committee of the Whole. Vaughan Council on January 26, 2021, ratified the recommendation of the Committee of the Whole to

receive the Public Meeting report of January 19, 2021, and to forward a comprehensive report to a future Committee of the Whole meeting. No individuals appeared before the Committee of the Whole at the Public Meeting.

The following individuals made written submissions prior to or at the January 19, 2021, Public Meeting:

- C1. Ada Ruzza, Derian Group Property Management Inc. Richmond Street Vaughan dated December 29, 2020.

The following individual made a written submission following the Public Meeting:

- C2. Irene Zeppieri, (address not provided) dated January 25, 2021.

The following is a summary of the comments provided in the written submission received by the Development Planning Department:

Proposed Uses

Concerns that the EM2 General Employment Zone blocks would include uses that are not desirable and would create adverse effect in the surrounding area. These uses include auto mechanic repair, auto body repair shops, contractor's yard, outside storage, meat packing and processing, building supply outlet, and car brokerage.

Response

It should be noted that the comments were directed for the neighbouring development applications (Z.19.007, 19T-19V002 and DA.19.072) to the north which have already received Council approval. Similar uses, however, are contemplated on the Subject Lands in the EM2 General Employment Zone blocks, but these uses will be prohibited at the edge of the Subject Lands where the lands interface with sensitive land uses such as residential uses. Provisions restricting specific EM2 General Employment Zone uses along the periphery of the Subject Lands are incorporated into the implementing zoning by-law amendment to ensure land use compatibility.

Minister's Zoning Order ('MZO') Status and Endangered Species

Comments suggested that the MZO is not clearly mentioned or approved by the Province of Ontario. The Subject Lands may also be subject to *"Permit for activities to achieve an overall benefit for an Endangered Species"*.

Response

The Ministry of Municipal Affairs and Housing ('MMAH') has issued an MZO, O. Reg.173/20 on April 24, 2020, and further amended by O. Reg. 456/22 on April 29, 2022, to reclassify and relocate Provincially Significant Wetlands ('PSW'). The purpose is to create a robust Natural Heritage System that will be protected through the Draft Plan of Subdivision and associated zoning provisions. The MZO has been endorsed by the Ministry of Natural Resources and Forestry ('MNR'), City of Vaughan and Toronto and Region Conservation Authority (TRCA). The MZO is contingent on an ecological compensation strategy that has been incorporated into the Draft Plan of Subdivision.

Permits for the removal of endangered species habitat including the Redside Dace Habitat has been submitted to the Ministry of Environment, Conservation and Parks ('MECP') in the form of a 'C Permit' application. The C Permits have since been issued by the Province. It is the responsibility of the landowner through the implementation of the Draft Plan of Subdivision to ensure the provision of the *Endangered Species Act* are not contravened. The Owner will also have to ensure compliance with the MECP regulation and guidelines. A clause to this affect has been included in Attachment 1a.

Previous Reports/Authority

The following are links to previous report regarding the Subject Lands:

Public Meeting (Applications) Report:

[January 19, 2021, Committee of the Whole \(Public Meeting\) \(Item 1, Report No.2\)](#)

Block 34 East Block Plan Application (File BL.34.2014) Public Meeting Report:

[February 4, 2021, Committee of the Whole \(Public Meeting\) \(Item 5, Report No.6\)](#)

Analysis and Options

Zoning By-law Amendment and Draft Plan of Subdivision Applications have been submitted to permit the development

Fleur de Cap Development Inc. & Cuenca Development Inc. (the 'Owners') have submitted the following applications (the 'Applications') to rezone the Subject Lands shown on Attachment 2 to permit the development of a plan of subdivision consisting of employment, mixed-use employment/commercial and service node use blocks, natural heritage system blocks, stormwater management facilities and public roads (the 'Development') as shown on Attachment 3:

1. Zoning By-law Amendment File Z.20.032 to rezone the Subject Lands from "A Agricultural Zone" and "A Agricultural Zone" subject to site-specific Exception 9(53) as shown on Attachment 2, to "EM1 Prestige Employment Area Zone", "EM2 General Employment Area Zone", "C4 Neighbourhood Commercial Zone", "C7 Service Commercial Zone" and "OS1 Open Space Conservation Zone" in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. Draft Plan of Subdivision File 19T-20V005 to facilitate the proposed plan of subdivision ('Draft Plan'), as shown on Attachment 3, consisting of the following:

| Blocks | Land Use | Area (ha) |
|-----------|---------------------------------|-----------|
| 1 & 4 | Prestige and General Employment | 19.53 |
| 10 & 17 | Prestige Employment | 2.30 |
| 3,5 & 16 | General Employment | 2.87 |
| 2 | Mixed Use-Employment/Commercial | 14.87 |
| 6 & 7 | Stormwater Management Pond | 7.06 |
| 8, 9 & 12 | Natural Heritage System | 15.25 |
| 15 | Service Node | 0.06 |
| 11 | Pumping Station | 0.41 |
| 13 & 14 | Roads Widening Block | 0.36 |
| 18 - 31 | 0.3 m Reserves | 0.09 |
| Streets | | 2.96 |
| Total | | 65.76 |

The Development is consistent with the Provincial Policy Statement 2020, subject to the recommendations in this report

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario “shall be consistent” with the Provincial Policy Statement 2020 (the ‘PPS’). The PPS provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong, healthy communities; the wise use and management of resources; and protecting public health and safety.

The *Planning Act* requires that Vaughan Council’s planning decisions be consistent with the PPS. The Development is consistent with the policies of the PPS, specifically Sections 1.1.1, 1.1.3, 1.3.1, 1.3.2.3, 1.5.1, 2.1.1 and 2.1.2 to provide employment opportunities, diversify the City’s economic base, protect employment areas in proximity to a major goods movement facility, ensuring the necessary infrastructure is provided to support current and projected needs and conserve natural features.

The Development is in a Settlement Area and will include large employment blocks that will provide flexibility in the types of employment uses permitted. Specific commercial uses will also be permitted to support the primary employment area. Natural features in the form of watercourse, wetlands, valley systems, headwater drain features and woodlands are present on the Subject Lands. The Owners propose to maintain, compensate, and protect these natural features by incorporating them into a Natural Heritage System (‘NHS’) block that will be conveyed to a public agency.

Connectivity and active transportation will be achieved within the Development through a planned trail network that will work in tandem with adjacent properties throughout the Block 34 East Plan area.

In summary, the Development will facilitate significant employment opportunities within a Settlement Area. The Subject Lands are in proximity to a major goods movement facility (Highway 400), utilize existing and planned infrastructure to service the lands,

and natural features will be protected through the use of appropriate zoning and the delineation of the NHS blocks within the Draft Plan.

In consideration of the above, the Development is consistent with the PPS.

The Development conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2020

A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2020 (the 'Growth Plan') is intended to guide decisions on a wide range of issues, including economic development, land use planning, urban form, and housing. The Growth Plan encourages population and employment growth within Settlement Areas and promotes the development of complete communities that offer a mix of housing types, access to local amenities and connections to municipal water and wastewater systems. Council's planning decisions are required by the *Planning Act* to conform, or not conflict with, the Growth Plan.

Sections 2.2.1, 2.2.5 and 4.2.2 of the Growth Plan contains policies that promote the following:

- Direct population and employment growth in Settlement Areas
- Make more efficient use of underutilized employment lands and increasing employment densities;
- Ensuring new development protects NHS that contain key natural heritage and key hydrologic features or their functions

The Development conforms to the policy framework of the Growth Plan as it utilizes existing employment areas more efficiently, is located within a Settlement Area abutting a 400 series Highway, key natural heritage features are protected under the planned Open Space Conservation Zone provisions and NHS blocks and provides employment opportunities supportive of the Growth Plan objectives. Existing and planned infrastructure will also be utilized to service the Subject Lands.

Accordingly, the Development conforms to the Growth Plan.

A portion of the Subject Lands and adjacent properties are subject to an MZO

The Subject Lands form part of the Block 34 East Plan area where three PSW's have been identified. They include two on the Council approved Fenmarcon Developments Inc. (formally known as Conmar Development Inc. & Fenlands Vaughan Inc. Files Z.19.007 and 19T-19V002) lands and one that traverses between the Subject Lands and neighbouring Lorwood Holdings Inc. property (File:19T-20V006), as shown on Attachment 3. The landowners of the noted properties submitted a joint MZO to declassify these PSW's to facilitate future employment uses. The Committee of the Whole meeting on March 9, 2020, considered and approved a Member's Resolution supporting the MZO. Council on March 11, 2020, ratified the Committee's recommendation. Council's resolution was then forwarded to the MMAH for consideration. MMAH issued the MZO on April 24, 2020, to declassify the PSW to facilitate employment uses within the southern portion of Block 34 East Plan.

The declassification of the three wetlands by way of the MZO was contingent on the landowners creating a relocation/compensation strategy that contributes to the NHS blocks within the Draft Plan and the neighbouring (Lorwood Holdings Inc.) property (Attachment 3). The relocation/compensation strategy proposed in the Draft Plan includes four relocation/compensation wetland areas within the proposed NHS blocks. The result is an ecological net gain with a total NHS area of 18.05 ha that will traverse between the Subject Lands and the neighbouring (Lorwood Holdings Inc.) property as noted in the Environmental Impact Study ('EIS') dated April 2021, prepared by *Savanta A GEI Company*.

On December 8th, 2020, the MNRF provided the Toronto Region and Conservation Authority ('TRCA') a letter endorsing the reclassification of the three wetlands through the approved MZO and recognizing the relocation/compensation strategy required in order to achieve a net positive environmental outcome for the affected properties including the Subject Lands.

The four wetland areas added to the proposed NHS blocks in the Draft Plan will compensate for the loss in the existing wetlands, natural features, and headwater drainage features ('HDF') that are identified in the southern portion of Block 34 East Plan area.

In consideration of the above, the Development is in keeping with the MZO.

The Development conforms to the York Region Official Plan 2010

The York Region Official Plan 2010 (the 'YROP') guides economic, environmental and community building decisions across York Region. The Subject Lands are designated as "Urban Area" on Map 1, "Regional Structure" and is identified as having a "Permanent or Intermittent Stream" on Map 2, "Key Hydrological Features" of the YROP. Figure 2, York Region Strategic Employment Lands, also includes the Subject Lands in a Strategic Employment Land area.

YROP Chapter 4.3 "Planning for Employment Lands" states "it is the policy of Council to protect strategic employment lands". These strategic areas are identified based on their proximity to existing and planned 400-series highways. Major retail is not permitted in strategic employment areas.

Policy 4.3.14 require that local municipalities, in consultation with York Region, prepare comprehensive secondary plans for new employment lands. Policies 4.3.17 and 4.3.18 encourage the creation of diverse lot sizes on employment lands. Employment lands shall also be flexible and adaptable and include street patterns and building design that facilitate development and intensification. The Subject Lands are a part of the 400 North Employment Lands Secondary Plan (OPA 637). The Secondary Plan includes policy directives that encourage a diverse range of lot sizes to accommodate a range of different employment sectors.

Policies 2.2.3 and 2.2.5 of YROP states that key natural heritage features and key hydrologic features shall be precisely delineated on a site-by-site basis and that development and site alteration within 120 m of a key natural heritage feature or key hydrological feature shall be accompanied by an EIS.

In support of the Applications, the Owners submitted an EIS prepared by *Savanta A GEI Company*, dated April 2021 that concluded that no negative impacts on significant natural features and their associated functions would occur with the proposed Development. The Subject Lands are part of the Block 34 East Plan area which also include the lands to the north and the neighbouring (Lorwood Holdings Inc.) property. These lands contain three PSWs that will be relocated through a comprehensive compensation/relocation strategy. The four additional wetlands compensations areas that will be incorporated into the Development will result in an ecological net gain, with a total NHS block area of 18.05 ha between the Subject Lands and the neighbouring (Lorwood Holdings Inc.) property.

In consideration of the above, the Development conforms to the YROP.

The Development conforms to Vaughan Official Plan 2010

Schedule 1 - "Urban Structure" of the Vaughan Official Plan 2010 ('VOP 2010') identifies the Subject Lands as being in an "Employment Area" and includes the "Natural Areas and Countryside" designation. Schedule 13 - "Land Use" shows the Subject Lands are located within an area identified as "Lands Subject to Secondary Plans", of Section 11.4 on Schedule 14-A (Volume 2 of VOP 2010).

The "Natural Areas" designation identifies portions of the City as being part of the Natural Heritage Network ('NHN'). Policy 3.2.3.1 of VOP 2010 require the NHN be protected and enhanced, as an interconnected system of natural features. Natural features are identified as "Core Features" which include wetlands, woodlands and extensive valley and stream corridors. The location of the NHN on the Subject Lands coincides with the "Potential Valley and Steam Corridor" designation as identified in the Secondary Plan and the NHS limits as proposed in the Draft Plan. The Applications propose to create NHS blocks together with the OS1 Open Space Conservation Zone to ensure the Core Features located on the Subject Lands are protected and enhanced as intended by Policy 3.2.3.1 of VOP 2010.

Policy 3.2.3.1 c) requires that Core Features and their minimum VPZs be dedicated to an appropriate public agency (e.g., the City or the TRCA) at no public expense, through the development approval process. The conveyance of these lands will be secured through the Draft Plan to ensure the integrity of the ecological systems on or within direct proximity to the Subject Lands will be maintained. The development limits of the Subject Lands, including the protection of the NHN, has been determined concurrently through the Block 34 East Plan and the Draft Plan process in accordance with the policies of VOP 2010.

Highway 400 North Employment Lands Secondary Plan ('OPA 637') (the 'Secondary Plan')

The Subject Lands are designated the following under Schedule C of the Secondary Plan:

- "Prestige Areas"
- "General Employment Area"
- "Mixed Use Area – Employment /Commercial"
- "Potential Valley and Stream Corridor"
- "Significant Interface Area ('SIA')"
- "Significant Enhanced Landscape Area" and
- "Stormwater Management Facility"

The Secondary Plan amends OPA 450 and OPA 600, which relies on the underlying policies of OPA 450 as they relate to the Subject Lands.

The "Prestige Areas" are generally designated at the perimeter of the employment lands; along Jane Street, Teston Road and Highway 400. The designation is contemplated to provide locational opportunities for intensive high-quality employment uses which require visual exposure, good accessibility, larger lots and attractive working environment. The designation permits a wide range of industrial uses; offices, business, and civic uses with no outside storage. The Prestige Areas shall be located adjacent to provincial highways and arterial roads. Blocks 10 and 17 will form the Prestige Area blocks as shown in the Draft Plan.

The "General Employment Area" designation are located at the centre of the employment lands and is serviced through an internal road network. The designation is contemplated to provide locational opportunity for industrial development which may require outside storage or uses not consider conducive to achieving a high-quality streetscape. The General Employment Area designation shall be located away from the major arterial roads and provincial highways. Blocks 3, 5 and 16 will serve this function as shown in the Draft Plan.

Blocks 1 and 4 of the Draft Plan will combine the Prestige and General Employment Area designations into larger employment blocks. In order for the combined employment blocks to remain compliant with the policies of the Secondary Plan, the implementing Zoning By-law will apply a minimum setback of 180 m from Highway 400 and Jane Street and 100 m from Teston Road for uses and outside storage space associated with the "General Employment Area" designation. This zoning provision will allow for greater flexibility, while concurrently ensuring lands fronting onto Highway 400, Jane Street and Teston Road are reserved for uses associated with the "Prestige Area" designation thereby maintaining the integrity and vision of the Secondary Plan policies.

The Secondary Plan designates areas within the Subject Lands as "Potential Valley and Stream Corridor". This designation coincides with the "Natural Areas" designation as prescribed on Schedule 13 - "Land Use" of VOP 2010. As previously discussed, these areas are to be conserved through the design and creation of NHS blocks. The

declassification of three PSWs that were identified on the Subject Lands, the lands to the north and the coordinated (Lorwood Holdings Inc.) property, will be compensated through four additional wetland areas that will be incorporated into the NHS blocks (Blocks 8 and 9) and provide for greater enhancement and protection of the Natural Areas, as shown on Attachment 3. The appropriate buffer zones have also been taken into consideration and included in the limit of the NHS blocks.

The “Mixed Use Area – Employment /Commercial” designation is intended to permit a range of large-scale uses, such as institutional uses, places of worship, hotels, and banquet halls, as well as a range of commercial facilities and employment. The Draft Plan acknowledges this provision. Block 2 as shown on Attachment 2 will permit uses associated with Prestige Area designation along with commercial retail. Outside and/or open storage will not be permitted within this block through restrictive measures applied in the implementing zoning by-law.

The northwest quadrant of Jane Street and Teston Road is identified as a “Significant Interface Area” (SIA (Block 2). This area is intended to serve as a gateway into the employment area and shall be treated with specific design parameters as outlined in the Block 34 East Employment Lands Urban Design Guidelines (‘UDG’).

The western boundary of the Subject Lands is identified as “Significant Enhanced Landscape Area” and is adjacent to Highway 400. The designation is intended to provide detailed direction on the extent and form of the required landscape, topographical, built form and architectural relationships to Highway 400. Adequate landscaping and buffering shall be provided within this area. The UDG and implementing zoning by-law will help achieve this policy framework and will be further defined through subsequent site development applications on the blocks adjacent to Highway 400.

The Secondary Plan identifies one Stormwater Management Facility at the southwest corner of the Subject Lands whereas two have been determined through Block 34 East Plan process. The Draft Plan will include two stormwater management ponds that abut the NHS blocks along the west side of the Subject Lands, adjacent to Highway 400.

The Applications comply with VOP 2010 and the Secondary Plan. The Draft Plan along with the proposed zoning provisions will achieve the following:

- Create flexibility within the employment blocks by permitting both the Prestige Areas and General Employment Area within the same blocks
- Ensure the General Employment Area uses are appropriately setback from Highway 400, Jane Street and Teston Road
- Protect the Core Features contained within the NHS blocks
- Create an ecological net gain through the compensation/relocation wetlands strategy that include four new wetlands areas that will be incorporated into the NHS blocks
- Ensure appropriate buffering and screening of any outdoor storage areas, where permitted, through the use of setbacks, landscaping, and fencing

In consideration of the above, the Applications conform to VOP 2010 and OPA 450, as amended by the Secondary Plan (OPA 637).

A Block Plan application was submitted by the Participating Landowners Group, collectively known as the “Block 34 East Landowners Group”

Section 3.4.2 of OPA 450, as amended by the Secondary Plan (OPA 637), requires a Block Plan for greenfield development be prepared. Policy 3.4.2.c further states “Block plans shall form the basis for the preparation and submission of implementing draft plans of subdivision, zoning amendment applications, and/or site development applications.”

A Block Plan application (File BL.34E.2014) (the ‘Block Plan’) was submitted on April 12, 2016, by the Block 34 East Landowners Group Inc. Subsequent submissions were made on March 13, 2019, June 9, 2020, and May 31, 2021. The Subject Lands are part of the Block 34 East Block Plan area, and the Landowners are members of the Block 34 East Landowners Group Inc as shown in Attachment 4.

The Owners are participating landowners in the Block Plan application process. The Draft Plan is being coordinated with the ongoing Block Plan application processes to ensure the Applications conform with the policies of the Block Plan.

The Draft Plan when completed will provide significant economic development opportunities to the City of Vaughan, through the ability to offer serviced employment lands within proximity to Highway 400 while concurrently protecting and conserving natural areas as identified in the Secondary Plan.

Amendments to Zoning By-law 1-88 are required to permit the Development

The Subject Lands are zoned “A Agricultural Zone” and “A Agricultural Zone” subject to site-specific Exception 9(53) by Zoning By-law 1-88 which does not permit the proposed employment and commercial uses. The Owners are proposing to rezone the Subject Lands to “EM1 Prestige Employment Area Zone”, “EM2 General Employment Zone”, “C4 Neighbourhood Commercial Zone”, “C7 Service Commercial Zone” and “OS1 Open Space Conservation Zone” as shown on Attachment 3. The proposed site-specific exceptions to Zoning By-law 1-88 are identified in Table 1 as follows:

Table1:

| | Zoning By-law 1-88 Standards | EM1 Prestige Employment Area Zone Requirements | Proposed Exceptions to the EM1 Prestige Employment Area Zone |
|----|---|---|---|
| a. | Definition of “Lot Line, Front” | Lot Line, Front means (in part) lot line facing the main entrance of the building | Block 1: Jane Street Block 4: Street 1 Block 10: Jane Street Block 17: Teston Road |
| b. | Definition of a “Distribution Facility” | Distribution Facility – not defined in By-law 1-88 | Means a building or part of a building used primarily for the storage and distribution of goods and materials, including the outside storage and maintenance of commercial motor vehicles, heavy commercial vehicles, and intermodal containers |
| c. | Definition of “Outside Storage” | Means the leaving, placing, or parking of goods, materials, machinery, equipment, or vehicles on a lot and not covered by a structure in the EM2 Zone only | the leaving, placing, or parking of equipment or vehicles including trucks, trailers, and tractor trailers accessory to a warehouse or Distribution Facility shall not be deemed to be Outside Storage but shall be subject Section 6.3.2. with the exception of having a maximum permitted height of 4.5 m |
| d. | Permitted Uses | <ul style="list-style-type: none"> - Employment Use - Accessory Retail Sales to an Employment Use - Accessory Office Uses to an Employment Use - Banquet Hall, in a Single Unit Building, subject to Section 3.8 - Bowling Alley, subject to Section 3.8 - Business and Professional Offices, not including regulated health professional | <p>To permit the following additional uses:</p> <ul style="list-style-type: none"> - All Season Sports Facility, subject to Section 3.8 - Club and Health Centre <p>The following additional uses along with their accessory outside storage are permitted with a minimum setback of 180 m from Highway 400 and Jane Street for Blocks 1 and 4 only:</p> <ul style="list-style-type: none"> - Autobody Repair Shop - Building Supply Outlet |

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| | | <ul style="list-style-type: none"> - Club, Health Centre, provided that the use is not located in a building which abuts a provincial highway - Convention Centre, Hotel, Motel, subject to Section 3.8 - Funeral Home in a Single Unit building and subject to Section 3.8 - Car Brokerage - Office Building - Recreational Uses, including a golf driving range and miniature golf course - Service and Repair Shop | <ul style="list-style-type: none"> - Car Brokerage, including trucks - Contractor's Yard - Distribution Facility - Equipment Sales/Rental Establishment - Meat Packing, Processing, not including accessory outside storage - Public Garage - Scrap Paper Storage, Sorting or Baling - Service or Repair Shop - Truck Terminal |
| e. | Accessory Buildings | No accessory building or structure shall be located in any yard, or area abutting a yard, which abuts, Highway 400 | Accessory building or structure shall be permitted in any yard, or area abutting a yard, which abuts Highway 400 or a reserve abutting the same with a minimum setback of 14 m to Highway 400 |
| f. | Landscaping strip width Requirements | i) 7.5 m width abutting Open Space Zone | i) Shall not apply |
| | Zoning By-law 1-88 Standards | EM2 General Employment Zone Requirements | Proposed Exceptions to the EM2 General Employment Zone |
| a. | Definition of "Lot Line, Front" | Lot Line, Front means (in part) lot line facing the main entrance of the building | Block 3: Street 2 Block 5: Street 1 Block 11: Street 1 Block 16: Street 1 (Blocks 5 and 16 will be developed in conjunction with Block 1 on Lorwood Holdings Inc. Draft Plan of Subdivision 19T-20V006, Attachment 2) |

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|----|---|---|---|
| b. | Definition of a "Distribution Facility" | Distribution Facility – not defined in By-law 1-88 | Means a building or part of a building used primarily for the storage and distribution of goods and materials, including the outside storage and maintenance of commercial motor vehicles, heavy commercial vehicles, and intermodal containers |
| c. | Definition of "Outside Storage" | Means the leaving, placing, or parking of goods, materials, machinery, equipment, or vehicles on a lot and not covered by a structure in the EM2 Zone only | the leaving, placing, or parking of equipment or vehicles including trucks, trailers, and tractor trailers accessory to a warehouse or Distribution Facility shall not be deemed to be Outside Storage but shall be subject Section 6.3.2. with the exception of having a maximum permitted height of 4.5 m |
| d. | Permitted Uses | <p>All uses permitted in an EM1 Zone, except Hotel, Motel, Convention Centre, and Personal Service Shop, subject to Section 3.8</p> <ul style="list-style-type: none"> - All Season Sports Facility, subject to Section 3.8 - Autobody Repair Shop - Building Supply Outlet - Car Brokerage, including trucks - Club or Health Centre - Contractor's Yard - Equipment Sales/ Rental Establishment - Meat Packing and Processing, not including accessory outside storage - Public Garage - Scrap Paper Storage, sorting or Baling | <p>In addition to the uses permitted in an EM2 Zone, the following uses shall be permitted 100 m from Teston Road in Blocks 3, 5 and 16:</p> <ul style="list-style-type: none"> - Autobody Repair Shop - Building Supply Outlet - Car Brokerage, including trucks - Contractor's Yard - Equipment Sales/ Rental Establishment - Meat Pack and Processing, not including accessory outside storage - Public Garage - Scrap Paper Storage sorting or Bailing - Service or Repair Shop, including repair of heavy equipment - Truck Terminal |

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|----|--------------------------------------|--|---|
| | | <ul style="list-style-type: none"> - Service or Repair Shop, including repair of heavy equipment - Truck Terminal | |
| e. | Landscaping strip width Requirements | i) 7.5 m width abutting Open Space Zone | i) Shall not apply |
| f. | Accessory Buildings | No accessory building or structure shall be located in any yard, or area abutting a yard, which abuts, Highway 400 | Accessory building or structure shall be permitted in any yard, or area abutting a yard, which abuts Highway 400 or a reserve abutting the same with a minimum setback of 14 m |
| | Zoning By-law 1-88 Standards | C4 Neighbourhood Commercial Zone Requirements | Proposed Exceptions to the C4 Neighbourhood Commercial Zone |
| a. | Definition of a Front Lot Line | Lot Line, Front means (in part) lot line facing the main entrance of the building | Block 2: Teston Road (Will be developed in conjunction with Block 4, the Lorwood Holdings Inc. Draft Plan 19T-20V006, Attachment 2) |
| b. | Maximum Lot Area | 25,000 m ² or (2.5 ha) | 149,700 m ² (14.97 ha) When merged with block 4 of 19T-20V006 only |
| c. | Permitted Uses | <ul style="list-style-type: none"> - Bank or Financial Institution - Brewers Retail Outlet - Business or Professional Office - Club or Health Centre - Eating Establishment - Eating Establishment, Convenience - Eating Establishment, - Take-Out L.C.B.O. Outlet - Personal Service Shop - Pet Grooming Establishment, to be contained within a wholly enclosed building - Pharmacy - Photography Studio | Permit the following as additional uses in Block 2 provided they are fully enclosed with no open storage: <ul style="list-style-type: none"> - Employment Use - Accessory Retail Sales to an Employment Use - Accessory Office Uses to an Employment Use - Banquet Hall, in a Single Unit Building, subject to Section 3.8 - Bowling Alley, subject to Section 3.8 - Business and Professional Offices - Club, Health Centre, provided that the use is not located in a building which abuts a provincial highway, excepting highway # 7 |

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|----|-------------------------------------|--|---|
| | | <ul style="list-style-type: none"> - Place of Entertainment - Retail Store - Service or Repair Shop - Supermarket - Veterinary Clinic Video Store | <ul style="list-style-type: none"> - Convention Centre, Hotel, Motel, subject to Section 3.8 - Funeral Home in a Single Unit building and subject to Section 3.8 - Car Brokerage - Office Building - Recreational Uses, including a golf driving range and miniature golf course - Service and Repair Shop - An Automobile Service Station, Automobile Gas Bar, Car Wash - Building Supply Outlet <p>The following shall not be permitted:</p> <ul style="list-style-type: none"> - individual retail uses in buildings with ground floor plates in excess of 2,800 m² in size; and/or, - any uses which require outside storage of goods and materials - |
| d. | Commercial Frontage | No provision in By-law 1-88 | Where single-use buildings are for retail or service commercial uses, they shall not occupy more than 25% of the frontage on either Jane Street or Teston Road |
| e. | Minimum Landscape Strip width | 6 m | 3 m |
| | Zoning By-law 1-88 Standards | C7 Service Commercial Zone | Proposed Exceptions to the C7 Service Commercial Zone |
| a. | Definition of a "Front Lot Line" | Lot Line, Front means (in part) lot line facing the main entrance of the building | Block 15: Teston Road (Will be developed in conjunction with Block 2 on the Lorwood Holdings Inc. Draft Plan 19T-20V006, Attachment 2) |
| b. | Minimum Lot Area | 8,000 m ² or (0.8 ha) | 600 m ² or (0.060 ha) Prior to merging with block 2 on 19T-20V006 only |

| | | | |
|----|-------------------------------|------|------------------|
| c. | Minimum Landscape strip width | 6 m | 3 m for Block 15 |
| d. | Minimum Front Yard | 9 m | 3 m for Block 15 |
| e. | Minimum Rear Yard | 22 m | 3 m for Block 15 |
| f. | Minimum Interior Side Yard | 6 m | 3 m for Block 15 |
| g. | Minimum Exterior Side Yard | 9 m | 3 m for Block 15 |

The Development Planning Department can support the proposed zoning exceptions identified in Table 1 for the following reasons:

The proposed Employment and Commercial Zones implement the policies of the Secondary Plan for the Subject Lands and are therefore considered appropriate. The zoning by-law amendment will have restrictive measures to ensure land-use compatibility is achieved. The zoning provisions are also consistent with similar applications approved within the immediate area. The Draft Plan contains a number of conditions for the associated blocks to ensure the Draft Plan implements appropriate infrastructure improvement to service the proposed zoning.

Council enacted By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law

On October 20, 2021, Council enacted By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law. A notice of the passing was circulated on October 25, 2021, in accordance with the *Planning Act*. The last date for filing an appeal to the Ontario Land Tribunal in respect of By-law 001-2021 was November 15, 2021. By-law 001-2021 is currently under appeal and, when in force, will replace Zoning By-law 1-88, as amended. Transition policy 1.6.3.3 of By-law 001-2021 exempts the Owner from demonstrating conformity to By-law 001-2021 as the application for the Development was filed and deemed complete (November 30, 2020) prior to the enactment of By-law 001-2021.

The Planning Act enables a municipality to pass a resolution to permit the Owner to apply for a future Minor Variance application(s), if required, within 2 years of a Zoning By-law coming into full force and effect

Section 45(1.3) of the *Planning Act* limits an Owner from applying for a Minor Variance application(s) to the Vaughan Committee of Adjustment before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands came into effect. However, the *Planning Act* also enables Council to pass a resolution to allow an Owner to apply for a Minor Variance Application(s) to permit minor adjustments to the implementing Zoning By-law, prior to the two-year moratorium.

The Development Planning Department has included a Recommendation to permit the Owner to apply for a Minor Variance application(s) to address refinements to the Development that may arise through the final design and construction process. A condition to this effect is included in the Recommendations of this report.

The Development Planning Department has no objection to the approval of the Development, subject to the Recommendations in this report

Subdivision Design

The Draft Plan will function in tandem with the Council Approved Draft Plan of Subdivision (Fenmarcon Developments Inc. File 19T-19V002) to the north and the neighbouring (Lorwood Holdings Inc. Files Z.20.033 and 19T-20V006) that is being processed and considered concurrently with these Applications.

The employment blocks within the Draft Plan are intended to offer a wide range of employment uses. Blocks 1 and 4 will have combined employment uses, however the zoning provisions for both blocks will have protective measures to maintain the integrity of the Prestige Area designation found within the in effect Secondary Plan along Highway 400 and Jane Street.

The mixed-use employment/commercial block at the northwest quadrant of Teston Road and Jane Street will function as both a gateway into the area and provide supporting commercial and employment services to the employment lands and adjacent residential lands. The Draft Plan also includes a portion of a Service Node block that will be located mainly within the neighbouring (Lorwood Holdings Inc.) property along Teston Road. The Service Node will serve for smaller scale commercial needs specific to the employment lands.

The 3 NHS blocks are contemplated as a protective measure to conserve and protect the Core Features that are located within the Natural Area of the Subject Lands. These Core Features include, watercourse (Purpleville Creek, tributary of the Humber River), valley system, wetlands and woodlands. The declassification of 3 PSW's as previously discussed, unevaluated wetlands and headwater drainage feature 'HDF' will be compensated with the addition of 4 new wetland areas that will be located in the NHS blocks, resulting in a total NHS area of 18.049 ha, traversing over the Subject Lands and the neighbouring (Lorwood Holdings Inc.) property. The remaining 5 blocks will be used for road widening, a pump station and storm water management purposes.

The Development Planning Department supports the proposed Draft Plan, subject to the Recommendations and the Conditions of Draft Plan of Subdivision Approval outlined in Attachment 1 of this report.

Parts Blocks 2, 5, 15 and 16 on Draft Plan File 19T-20V005 are to be developed with adjacent Blocks 1, 2 and 4 on Lorwood Holdings Inc. Draft Plan File 19T-20V006

Blocks 2, 5, 15 and 16 within the Draft Plan are to develop and merge with, the adjacent blocks within the Lorwood Holdings Inc. Draft Plan (File:19T-20V006), prior to the issuance of any building permits on the noted blocks. A condition to this effect is included in the Conditions of Approval outlined in Attachment 1a) of this report and within the provisions of the corresponding zoning by-law amendment

Urban Design

All future development within the Draft Plan is required to proceed in accordance with the Council approved City-wide Urban Design guidelines and the Block 34 East Employment Lands Urban Design Guidelines prepared by KLM Planning Partners Inc. and A Baldassarra Architect Inc. A condition to this effect is included in Attachment 1a).

Sustainability Performance Metrics

The Development achieves an overall Sustainability Performance Metrics ('SPM') application score of 28 (bronze level). This score meets the minimum threshold requirements of 21

Cultural Heritage

In 2006/2007, a Stage 1-2 Archaeological Assessment ('AA') was done which identified the Subject Lands as having archaeological potential. In 2011 a Stage 3-4 Archaeological Assessment was done to document two Euro-Canadian sites on the Subject Lands. In 2015, another Stage 4 excavation was done on another documented Euro-Canadian site.

In 2020 to 2021, another Stage 1-2 AA was performed, in keeping with the 2011 Standards and Guidelines for Consultant Archaeologists. During the survey, isolated findings of non-diagnostic Indigenous artifacts were found on an agricultural field in the eastern half of the study area, and all artifacts were collected as a Stage 3 equivalent Controlled Surface Pickup ('CSP'). The findings did not meet the criteria for further investigation and no further archaeological study was recommended. The updated Stage 1-2 AA was reviewed and accepted by the Ministry of Heritage, Sport, Tourism and Culture Industries ('MHSTC') and accepted into the Provincial Database.

In the fall of 2021, the Mississauga Credit First Nation and the Huron Wendat First Nation identified concerns with the report. Neither the 2007 or the 2021 Stage 1-2 AA referenced the Huron Wendat Indigenous Village and Ossuary by name or by the Borden Identification Number (Archaeological Site Number). Further, the 2021 Stage 1-2 AA did not reference the policies of the 2015 York Region Archaeological Master Plan ('YRAMP'). Both the Huron Wendat First Nation and Mississauga Credit First Nation requested that the policies of the YRAMP be followed in the context of the Block 34 East properties.

As the Subject Lands are within 1 km of a significant village site and a known ossuary site, it is recommended that further disturbance of the site, such as topsoil removal and grading be subject to archaeological monitoring during these works. This is in

accordance with the York Region Archaeological Management Plan ('YRAMP') which requires mechanical topsoil removal within 1000 m of a village site and 300 m of a waterway be subject to archaeological monitoring. The monitoring shall be done by a licensed archaeologist with the engagement of the relevant First Nations to ensure that cultural resources and ancestral remains are not disturbed as a result of the Development. This is in keeping with Section 9 of the YRAMP and Sections 6.4.1.3-6 of VOP 2010 policies regarding development near First Nation villages and cemeteries. A condition to this effect is included in Attachment 1.

In a meeting with an Archaeological Review Officer at the MHSTC and with the Deputy Registrar of the Bereavement Authority of Ontario, City staff confirmed that in the context of the Subject Lands being within 1000 m of the Teston Village and Ossuary that the policies of the YRAMP shall be applied. City staff worked with the First Nations groups and the Owners in finalizing the identified monitoring area as shown in Attachment 1a.

The Development Planning Department is satisfied with the Applications as shown on Attachment 3, subject to the Conditions of Approval in Attachment 1 of this report.

The Policy Planning and Environmental Sustainability ('PPES') Department has no objection to the Applications

The PPES Department has no objection to the approval of the Applications. The Owner shall ensure the provisions of the *Endangered Species Act, 2007*, S.O. 2007 are not contravened and comply with any MECP regulations and guidelines to protect Species at Risk and their habitat. A clause to this effect has been included in Attachment 1 of this report.

The Development Engineering ('DE') Department supports the Development, subject to Conditions of Approval

The DE Department has provided the following comments regarding the Development:

Road Network and Transportation

Transportation Engineering has reviewed the Transportation Mobility Plan prepared by Crozier Consulting Engineers dated May 2021 and is satisfied with the report. However, a block plan level of study will be required to finalize the transportation network improvements in accordance with the City and the Ministry of Transportation ('MTO') conditions. The Draft Plan will include a 0.3 m reserve that terminates at dead ends and opens side road allowance and will be conveyed to the City. The provisions to lift the reserve will be contingent on meeting the City's requirements including, but not limited to an updated Transportation Study (Traffic Impact Study 'TIS' or Transportation Mobility Plan 'TMP') that is to satisfaction of the City and MTO.

The Subject Lands are surrounded by Jane Street and Teston Road which will be widened to accommodate future traffic volumes. The Draft Plan (Attachment 3) will consist of 3 new municipal roads. Street 1 will be the main north to south spine road having a minimum width of 26 m. This major collector road will link the neighbouring

lands to the north with Teston Road to the south. Street 2 will connect to Street 1, terminating at a cul-de-sac while Street 3, also a major collector road, will provide connections from Jane Street to Street 1 in an east-to-west fashion.

All new roads will have sidewalks on both sides. In addition, dedicated in-boulevard bike lanes will be constructed on Street 1 and Street 3, supplementing the larger cycling network of the City in the future. Provision of the active transportation facilities and TDM measures within each site will be further reviewed at the site plan stages.

Noise

The Owner has provided an Environmental Noise Feasibility Report dated October 30th, 2020, by Valcoustics Canada Ltd. The report identifies noise sources impacting the Subject Lands such as: vehicular traffic from Highway 400, Jane Street and Teston Road. Other potential noise sources include HVAC equipment, loading docks and other activities associated with the contemplated commercial and employment uses. The report provides recommendations including measures such as orienting noise sources toward non-noise-sensitive receptors and the selection of quieter equipment for HVAC system.

Mitigation measures will be further defined through future Site Development applications to ensure that the proposed uses comply with the sound level limits at the neighbouring receptors.

Water Supply

The Subject Lands are located within two separate Pressure Districts ('PD') of the York Water Supply System. The boundary of the PDs splits the Subject Lands in half, with the majority of the Subject Lands primarily situated in PD7 and the remaining northeast portion in PD8. Initial water supply will be provided through PD7 as there are no watermain infrastructure for PD8. The PD7 will employ water supply servicing through 2 connections to the existing 900 mm watermain on Teston Road. The first connection will be via Street 3 and Jane Street and the second will run under the internal spine road identified as Street 1 in the Draft Plan. Once PD8 infrastructure is available via the proposed Kirby Road watermain extension, a connection will be made to service the northern lands of Block 34 East including the northeast portion of the Subject Lands identified in the Draft Plan.

The interim water servicing strategy is subject to York Region's approval and is required in order to service the neighbouring lands to the north which will be developed in advance of PD8 infrastructure. In order to facilitate the interim strategy, the neighbouring landowner to the north will be required to arrange with the landowners of the Subject Lands, an agreement for the design and construction of the future watermain from Teston Road to supply water service for their lands and the Subject Lands. The neighbouring landowner will also be required to pay for all costs toward the additional operation and maintenance and decommissioning costs of the interim water

servicing, as necessary, until the ultimate water strategy is implemented by York Region.

York Region's Northeast Vaughan Water & Wastewater Servicing Class Environmental Assessment ('Regional EA') identifies a future pumping station ('PS') to service PD8 on the Block 34 East lands, within the Subject Lands (Attachment 3). The PS is necessary to service the PD8 area as this pressure district has higher water demand and requires higher water pressures relative to the PD7 area. The Regional EA is considered a part of the ultimate water servicing strategy for Block 34 and the Subject Lands.

Sanitary Servicing

The Draft Plan is contemplated ahead of the ultimate sanitary solution for Block 34 East. The interim sanitary strategy includes a connection to the existing 300 mm diameter sanitary sewer located south of Teston Road on Mahmood Court. The existing sanitary sewer network south of Teston Road is primarily serviced for residential land uses and did not originally account for any additional contribution to the system from any of the Block 34 East lands (including the Subject Lands which will be used for employment and commercial purposes). As part of the interim strategy, sanitary storage will also be required. In order to accomplish this, superpipes will be placed along Street 1 on the north side of Teston Road. The interim sanitary strategy for the Subject Lands will be evaluated and subject to Interim Servicing Strategy ('ISS') Study of 2019.

Storm Servicing

The Subject Lands are not serviced by an existing storm infrastructure. The Master Environmental Servicing Plan Addendums Block 34 East ('MESP') identifies two new municipal stormwater management ponds ('SWMP'), on the Subject Lands. The City design standards dictate that the SWMP should control urban stormwater runoff to the targets released rates established in the City's Master Plan and provide water quality treatment and erosion control measures. The SWMP will be located on Blocks 6 and 7 of the Draft Plan adjacent to the NHS blocks which contains the valley system. Both SWMPs will discharge into the valley system at the Humber River target flow rates. The SWMP will be designed and sized on the assumption that no Low Impact Design ('LID') measures will be facilitated on the individual sites and clean water collector systems diverting parts of rooftop runoff to the natural feature areas will be established resulting in the need for larger ponds. According to the MESP if at the time of detailed design and construction of the SWMP, more information is known of the potential LID facilities of the individual lots and blocks by the end-users then the design of the SWMP can be adjusted, i.e. made smaller accordingly.

Environmental Site Assessment ('ESA')

A Phase One ESA was undertaken and provided in support of the Applications for the Subject Lands and the neighbouring Lorwood Holdings Inc. property. The Phase One ESA was reviewed, and its conclusions recommended a Phase Two ESA to investigate the potential environmental concerns associated with the presence of historical fuel oil storage tank, presence of fill materials, and pesticides for farming purposes. As such, the Environmental Engineering Division of the DE Department noted within the

December 2020 memorandum that the Phase Two ESA be undertaken and a copy of the report provided to the City for review, including a Reliance Letter.

The Phase Two ESA concluded that subsurface environmental conditions at the Subject Lands were found to be suitable for the Draft Plan and the proposed uses. Soil and groundwater results to-date were found to have met the applicable MECP site condition standards. The Phase Two ESA also recommended that groundwater monitoring wells present on Subject Lands may be maintained for on-going monitoring purposes and decommissioned if no longer needed by a licensed well contractor in accordance with Ontario Regulation 903. Environmental Engineer has reviewed the findings of the Phase Two ESA along with the associated Reliance Letter and is satisfied with the results.

Grading Design/Erosion and Sediment Control

The existing topography indicates grade difference as a result of the Purpleville Creek, tributary of the Humber River traversing the Subject Lands. Grading as result of the Draft Plan and subsequent Development are to occur outside NHS blocks to maintain the natural integrity of the slope within the valley system. Final grading and erosion mitigation measures are subject to the review and approval of the TRCA and shall meet the City lot grading criteria.

Block 34 East Developer's Group Agreement

The Subject Lands are located within Block 34 East plan and is subject to a Developers' Group Cost Sharing Agreement with other participating landowners. The Owners are a member of the Block 34 East Landowner's Group (i.e., Developers' Group) and is required to satisfy all obligations, financial and otherwise, to the satisfaction of the Block 34 Trustee and the City of Vaughan. The agreement shall be regarding but not limited to all cost sharing for the provision of parks, cash-in-lieu of parkland, roads, and municipal services within Block 34 East. A condition to this effect is included in Attachment 1 and 1a).

The Financial Planning and Development Finance Department advises Development Charges ('DCs') are applicable for the Development

The Financial Planning and Development Finance Department requires the Owner enter into a subdivision agreement with the City of Vaughan to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including DCs. Clauses for the payment of DCs are included as standard conditions in the Subdivision Agreement.

Cash-in-lieu of the dedication of parkland is not required

The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, in accordance with Section 51 of the *Planning Act* and City of Vaughan Policy. The Owner shall submit an appraisal of the Subject Lands prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

The Office of Infrastructure Development Department, Real Estate Services advises cash-in-lieu of the dedication of parkland payment in accordance with Section 42 of the *Planning Act* will not be required as long as the Council Policy waiving such payment remains in effect for industrial land.

The Parks Infrastructure Planning and Development ('PIPD') Department has no objection to the Development, subject to the Conditions of Approval

The PIPD Department has reviewed the trail location has no objection to the Applications, subject to the relocation of the trail and Conditions of Approval contained in Attachment 1 and 1a.

The Forestry Operations Division has no objection to the Applications, subject to the Conditions of Approval

The Owner is required to enter into a "Tree Protection Agreement" with the City in accordance with the Vaughan Council enacted Tree Protection By-law 052-2018 and the City's Tree Protections Protocol. A condition to this effect is included in Attachment 1a of this report.

The TRCA has no objection to the Applications

The TRCA has no objection to the Applications, subject to their conditions included in Attachment 1c of this report.

The TRCA supports the Applications provided the access roads to the Stormwater Management Pond be located outside the NHS Blocks and the related buffer zone. The TRCA notes that the NHS blocks are to be free of grading encroachments as well as any proposed trail plan associated with the Draft Plan. The TRCA confirms that the NHS blocks are to be conveyed into public ownership as identified in their Conditions of Approval found in Attachment 1c.

The TRCA has also issued C-Permits for the re-location and loss of wetlands within the NHS blocks. The permits follow the description prescribed in the MESP and are required in order to alter the PSWs identified on the Subject Lands and neighbouring Lorwood Holding Inc property. Final NHS limits and boundaries are to be verified by the TRCA prior to final approval.

The MTO has no objection to the Development

The MTO has no objection to the Applications provided that any new buildings/structures (including internal roads) above and below ground (including SWMP) be setback a minimum distance of 14 m from the Hwy 400 property line. The Owners are also required to provide a Traffic Impact Study, for the entire Block 34 East, prepared in accordance with the Ministry's guidelines, addressing the anticipated traffic volumes and their impact on Highway 400/Teston Road interchange prior to final approval. The Conditions of Approval from MTO are contained in Attachment 1d and 1d) a.

Canada Post has no objection to the Development, subject to Conditions of Approval

Canada Post has no objection to the Development, subject to their Conditions of Approval in Attachment 1f.

The various utility companies have no objection to the Development, subject to Conditions of Approval

Bell Canada, Enbridge Gas and Alectra Utilities have no objection to the Applications, subject to their Conditions of Approval in Attachments 1e, 1g and 1h respectively. Rogers Communications and Hydro One Networks Inc. have no objection to the Applications.

Financial Impact.

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

Broader Regional Impacts/Considerations.

York Region has no objections to the Applications, subject to their comments and Conditions of Approval included in Attachment 1b).

Conclusion

The Development Planning Department has reviewed Zoning By-law Amendment and Draft Plan of Subdivision Files Z.20.032 and 19T-20V005 in consideration of the applicable policies of the Provincial Policy Statement 2020, A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019, the YROP, VOP 2010, OPA 450 as amended by OPA 637 the 400 North Employment Lands Secondary Plan, Zoning By-law 1-88, comments from the public, City Departments and external public agencies, and the surrounding existing and planned land use context.

The proposed Development for the Subject Lands are consistent with the policies of the PPS and conforms to the Growth Plan, the YROP, VOP 2010 and OPA 450 as amended by OPA 637 specifically the 400 North Employment Lands Secondary Plan. The Development Planning Department can support the approval of the Applications, subject to the Recommendations in this report and the Conditions of Approval set out in Attachment 1.

For more information, please contact: OluwaKemi (Kemi) Apanisile, Planner, Development Planning Department, ext. 8210.

Attachments

1. Conditions of Draft Plan of Subdivision Approval
2. Context and Location Map
3. Proposed Zoning and Draft Plan of Subdivision File 19T-20V005
4. Final Block 34 East Plan, dated June 2022

Prepared by

OluwaKemi (Kemi) Apanisile, Planner, ext. 8210

Margaret Holyday, Senior Planner, ext. 8216

Mary Caputo, Senior Development Manager, ext. 8635

Nancy Tuckett Director of Development Planning, ext. 8529

Approved by



Haiqing Xu, Deputy City Manager,
Planning and Growth Management

Reviewed by



Nick Spensieri, City Manager