



## memorandum

**TO:** Mayor and Members Of Council  
**FROM:** Haiqing Xu, Deputy City Manager, Planning And Growth Management  
**DATE:** February 13, 2023  
**RE:** **COMMUNICATION – COMMITTEE OF THE WHOLE (2),  
FEBRUARY 14, 2023**

**ITEM NO. 4, REPORT NO 9**

**OFFICIAL PLAN AMENDMENT FILE OP.21.020  
ZONING BY-LAW AMENDMENT FILE Z.21.041  
TESMAR HOLDINGS INC.**

---

### Recommendation

The Deputy City Manager, Planning and Growth Management recommends:

1. THAT Item No. 4 of the Committee of the Whole Report No. 9, dated February 14, 2023, be amended as follows:
  - a) Delete Recommendation No. 4 in its entirety and replace it with the following:
    4. THAT the Holding Symbol “(H)” shall not be removed from the Subject Lands proposed to be rezoned RA3(H) “Apartment Residential Zone” with the Holding Symbol “(H)” under Zoning By-law 1-88 or RM3(H) Multiple Unit Residential Zone, with the Holding Symbol “(H)” under Zoning By-law 001-2021, or any portion thereof, until the following conditions have been satisfied:
      - a) The Owner is required to submit a detailed noise and vibration feasibility study (“Detailed Noise Report”) and provide any recommended noise control measures, to the satisfaction of the City;
      - b) If necessary, the execution and registration on title of agreements between the Owner and owners(s) of neighbouring lands containing stationary noise sources to secure, maintain, and operate any noise mitigation measures which may be required;

- c) That the Owner shall address, if required, the comments provided through the peer review of the Detailed Noise Report, to the satisfaction of the City, Granite Real Estate Investment Trust, Granite REIT Inc. and 805062 Ontario Limited (collectively 'Granite'), Magna International Inc., and Canadian National Railway;
- d) The Owner is required to provide to the City's satisfaction written communication from Granite, Magna International Inc., and Canadian National Railway confirming they each have been provided a copy of the most up to date architectural drawings and Detailed Noise Report for their review and are in acceptance of the documents including all proposed noise mitigation measures and warning clauses;
- e) The Owner shall submit and obtain approval of a Site Development application to facilitate the Development from the Deputy City Manager, Planning and Growth Management or designate, addressing all the comments provided through Official Plan and Zoning By-law Amendment Files OP.21.020 and Z.21.041;
- f) Water supply and sewage capacity being identified and allocated by Vaughan Council for the Subject Lands; and
- g) The Owner shall provide a signed letter outlining how all the relevant conditions in the Minutes of Settlement have been addressed, to the satisfaction of the City.

### **Purpose**

The Purpose of this Communication is to amend the Committee of the Whole Recommendation for Files OP.21.020 and Z.21.041 to revise the conditions of the Holding Symbol "(H)" to further simplify wording of conditions and the mechanisms required to clear the conditions, as well as removing a condition which is no longer required.

### **Background**

The Committee of the Whole report (Item 4, Report No. 9) from the Deputy City Manager, Planning and Growth Management regarding Official Plan and Zoning By-law Amendment Files OP.21.020 and Z.21.041, included a Recommendation as follows:

- "4. THAT the Holding Symbol "(H)" shall not be removed from the Subject Lands proposed to be rezoned RA3(H) Apartment Residential Zone" with the Holding Symbol "(H)" under Zoning By-law 1-88 or RM3(H) Multiple Unit Residential Zone, with the Holding Symbol "(H)" under Zoning By-law 001-2021, or any portion thereof, until the following conditions have been satisfied; and
- a) The Owner is required to submit a detailed noise and vibration feasibility study and provide any recommended noise control measures, to the satisfaction of the City;
  - b) If necessary, the execution and registration on title of agreements between the Owner and owners(s) of neighbouring lands contain stationary noise sources to secure, maintain, and operate any noise mitigation measures which may be required;

- c) That the Owner shall address, if required, the comments provided through the peer review of the Noise and Vibration Feasibility Study, to the satisfaction of Canadian National Rail and Magna International;
- d) The Owner shall obtain approval from Vaughan Council for a Class 4 Noise Classification and in accordance with the Minutes of Settlement Condition 20, the Owner is required to provide proof of communication to confirm that Granite Real Estate Investment Trust, Granite REIT Inc. and 805062 Ontario Limited (collectively 'Granite'), Magna International Inc., and Canadian National Railway have reviewed and/or been provided architectural drawings/noise correspondence and written confirmation/certification of installation of all noise mitigation measures for the Development;
- e) The Owner shall submit and obtain approval of a Site Development application to facilitate the Development from the Deputy City Manager, Planning and Growth Management or designate, addressing all the comments provided through Official Plan and Zoning By-law Amendment Files OP.21.020 and Z.21.041;
- f) Water supply and sewage capacity being identified and allocated by Vaughan Council for the Subject Lands;
- g) The Owner shall provide a recent hydrant flow and pressure test confirming adequate pressure and flow to support the development; and
- h) The Owner shall provide a signed letter outlining how all the relevant conditions in the Minutes of Settlement have been addressed, to the satisfaction of the City of Vaughan Development Engineering Department.

The Development Planning Department and the Development Engineering Department have since revised the Holding Symbol "(H)" conditions contained within the Committee of the Whole Report to further clarify the requirements of conditions and the mechanisms required to clear the conditions, as well as removing a condition which is no longer required. These recommended revisions are considered minor will provide Staff and the Owner further clarity regarding the clearances of the Holding conditions.

Respectively submitted,



Haiqing Xu  
Deputy City Manager, Planning & Growth Management

Copy to:     Todd Coles, City Clerk  
               Nick Spensieri, City Manger