

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 22, 2024

Item 2, Report No. 20 of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 22, 2024.

**2. AVENUE 7 DEVELOPMENTS LTD. OFFICIAL PLAN AMENDMENT FILE OP.22.008 ZONING BY-LAW AMENDMENT FILE Z.22.015 DRAFT PLAN OF SUBDIVISION FILE 19T-22V002 - 2267 HIGHWAY 7 & KEELE STREET SOUTHWEST CORNER OF HIGHWAY 7 AND KEELE STREET**

The Committee of the Whole recommends:

1. That the recommendations contained in the following report of the Deputy City Manager, Planning and Growth Management, dated May 14, 2024, be approved; and
2. That the following communications be received:
  - C1. Cathy Ferlisi, Concord West Ratepayers' Association, dated May 10, 2024;
  - C2. Ryan Mino-Leahan, KLM Planning Partners Inc., Jardin Drive, Concord, dated May 13, 2024; and
  - C3. Irene Ford, dated May 13, 2024.

#### Recommendations

THAT the OLT be advised that Vaughan Council ENDORSES the following recommendations:

1. THAT Official Plan Amendment File OP.22.008 (Avenue 7 Developments Ltd.) BE APPROVED, to amend Vaughan Official Plan 2010, Volume 1 for the Subject Lands shown on Attachment 2, as follows:
  - a) to amend Schedule 13, Land Use to re-designate the lands from "Employment Commercial Mixed-Use" to "High-Rise Mixed-Use";
  - b) to increase the maximum permitted building height from 10-storeys to 60-storeys;
  - c) to increase the maximum permitted FSI from 3.0 to 7.40 times the area of the lot;
  - d) to permit podium townhouse units in the "High-Rise Mixed-Use" designation;
  - e) notwithstanding High-Rise Buildings Policy Section 9.2.3.6, setbacks will be in accordance with the site-specific by-law.

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## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 22, 2024

#### Item 2, CW Report 20 – Page 2

2. THAT Zoning By-law Amendment File Z.22.015 (Avenue 7 Developments Ltd.) BE APPROVED, to amend Zoning By-law 1-88 to rezone the Subject Lands from “EM1 – Prestige Employment Area Zone” subject to site-specific Exception 9(1322) and “C6 – Highway Commercial” subject to site-specific Exception 9(784) to “C9 Corporate Centre Zone” with a Holding Symbol “(H)” and “OS2 Open Space Park Zone”, as show on Attachment 2, together with the site-specific zoning exceptions identified in Table 1 of Attachment 8;
3. THAT Zoning By-law Amendment File Z.22.015 (Avenue 7 Developments Ltd.) BE APPROVED, to amend Zoning By-law 001-2021 to rezone the Subject Lands from “EMU – Employment Commercial Mixed-Use” subject to site-specific Exception 14.958, and “EMU – Employment Commercial Mixed-Use” subject to site-specific Exception 14.487 to “HMU – High-Rise Mixed-Use” with a Holding Symbol “(H)” and “OS1 – Open Space Conservation Zone”, in the manner shown on Attachment 1 together with the site-specific zoning exceptions identified in Table 2 of Attachment 9;
4. THAT the Holding Symbol “(H)” be applied to the implementing zoning by-law(s) and shall not be removed from the Subject Lands proposed to be zoned “C9 Corporate Centre Zone” under Zoning By-law 1-88 or “HMU – High-Rise Mixed-Use” with a Holding Symbol “(H)” under Zoning By-law 001-2021, or any portion thereof until such time that the following conditions are addressed for the Subject Lands, to the satisfaction of the City:
  - a) The Owner shall submit a copy of a Ministry of the Environment, Conservation and Parks (‘MECP’) Record of Site Condition filed on the environmental site registry covering the subject lands to the satisfaction of the City. The ‘H’ symbol however shall not inhibit the Applicant from applying and obtaining applicable conditional building permits to facilitate the remediation of the site.
  - b) Vaughan Council adopts a resolution allocating sewage and water supply capacity in accordance with the City’s approved Servicing Capacity Distribution Policy to the subject lands.
  - c) It has been identified within the downstream capacity analysis that sanitary sewer improvements are required to facilitate the ultimate build out condition of the development. The lifting of the Holding Symbol “(H)” shall only occur under one of two scenarios:

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 22, 2024

#### Item 2, CW Report 20 – Page 3

- i. The Owner demonstrates that a sanitary servicing strategy can be achieved utilizing a comprehensive study and must enter into an Agreement with the City to design and construct the works, to the satisfaction of the City. The study shall include approved and active proposed applications surrounding the Subject Lands, including, but not limited to, 2160 and 2180 Highway 7 (Files 19T-23V002), 7733 Keele Street (Files OP.23.004 & Z.23.006), and 227 Bowes Road (Files Z.22.017), to ensure any infrastructure improvements accommodates the remaining growth in the Concord Go Centre / Major Transit Station Area. The study shall also identify and commit to any improvements to any municipal and/or private sewers and mains, free of all costs and encumbrances to the City, that are required to service the Subject Lands, to the satisfaction of the City; or
  - ii. The Owner shall front-end finance and implement or contribute to required infrastructure improvements based on the conclusions and recommendations of the City's Integrated Urban Water Master Plan Class EA, specifically the Concord Go Centre / MTSA Functional Servicing Strategy Report, as appropriate and to the satisfaction of the City.
- d) The Owner shall submit an updated Transportation Impact Study ('TIS'), to the satisfaction of the City. The updated TIS is to address all outstanding City comments and to analyze the proposed road network and its impact to existing roadways that are also subject to approval by the Region of York, to the satisfaction of the City.
  - e) The Owner shall provide updated functional design drawings followed by detailed engineering drawings of New Public Street 1 and New Public Street 2, their intersections with Keele Street and Highway 7 and any affected accesses to the satisfaction of the City.
  - f) The Owner shall obtain, as applicable, all necessary approvals/permits from Regional Municipality of York and to their sole satisfaction, as the Subject Lands and external improvements are regulated by the respective agency.

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 22, 2024

#### Item 2, CW Report 20 – Page 4

- g) The Owner shall agree within the subdivision agreement that New Public Street 1 and New Public Street 2 shall be constructed within Phase 1 of the development, including but not limited to roadways, curbs, sidewalks, municipal services, and street lighting, in accordance with the approved subdivision plan and engineering drawings.
  - h) The registration of the first phase of lands for residential development for Draft Plan of Subdivision 19T-22V002 satisfactory to the City of Vaughan and the execution of applicable agreements for the dedication of public parks as per the City's Park Base Conditions and Requirements included as part of the Draft Plan of Subdivision Conditions of Approval.
  - i) The dedication of public parks shall be in accordance with VOP 2010, and the payment of cash-in-lieu of parkland in accordance with the requirements of the in-effect legislation, policies and amendments.
  - j) The Owner shall enter into and execute a Subdivision Agreement for 19T-22V002 which agreement shall include Developer Build Park provisions with regard to the Owner's responsibility to design and construct the entire public park block in accordance with the City of Vaughan's Developer Build Parks Policy (Policy No. 07.2.05) and the interim non-conventional stormwater infrastructure approval process led by the Development Engineering department.
  - k) A development agreement is executed between CN Railway and the Owner which details the requirements of enclosed noise buffers and any environmental easements to be registered on title.
5. THAT Draft Plan of Subdivision File 19T-22V002 (Avenue 7 Developments Ltd.) as shown on Attachment 6, BE APPROVED, to permit a residential Draft Plan of Subdivision, subject to the Conditions of Draft Plan of Subdivision Approval in Attachment 10;
6. That the Subject Lands be designated as a Class 4 Area pursuant to the MECP Noise Guideline (NPC-300) (Stationary and Transportation Sources – Approval and Planning);



## CITY OF VAUGHAN

### **EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 22, 2024**

#### Item 2, CW Report 20 – Page 5

7. That subject to approval of Recommendation 6., the City's Noise By-law 121-2021 Schedule 4 be updated to include the Subject Lands, conditional upon the Owner satisfying the following:
  - i. Submission of a detailed noise impact assessment and provision of any recommended noise control measures, to the satisfaction of the City (and the City's Peer Reviewer, if required);
  - ii. Approval of the related site plan development application by Vaughan Council or Delegated Staff Authority;
  - iii. Agreement to provide notice to prospective purchasers that the dwellings are located in a Class 4 Area and that agreements respecting noise mitigation may exist, and if so, to be registered on title;
  - iv. Agreement to register warning clauses on title to the satisfaction of the City; and
  - v. Submission of a copy of the registered plan of survey (i.e. R-Plan) showing the boundaries of the lands used for the designation of the Class 4 Area, to the satisfaction of the City.

## Committee of the Whole (2) Report

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**DATE:** Tuesday, May 14, 2024

**WARD(S):** 4

**TITLE:** AVENUE 7 DEVELOPMENTS LTD.

**OFFICIAL PLAN AMENDMENT FILE OP.22.008**

**ZONING BY-LAW AMENDMENT FILE Z.22.015**

**DRAFT PLAN OF SUBDIVISION FILE 19T-22V002**

**2267 HIGHWAY 7 & KEELE STREET**

**SOUTHWEST CORNER OF HIGHWAY 7 AND KEE**

**FROM:**

Haiqing Xu, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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### **Purpose**

To seek endorsement from the Committee of the Whole on Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications, which have been appealed to the Ontario Land Tribunal ('OLT') for the lands shown on Attachment 1, to permit a four phased mixed-use development comprised of eight (8) mixed-use buildings with at grade commercial uses, ranging in height from 6 to 60-storeys with a total of 3,000 residential units, two new public roads, a 0.56 ha (1.39 ac) public park and a Floor Space Index ('FSI') of 7.40 times the area of the lot as shown on Attachments 2 to 7.

### **Report Highlights**

- The Owner proposes to permit a four phased mixed-use development comprised of eight (8) mixed-use buildings with at grade commercial uses, ranging in height from 6 to 60-storeys with a total of 3,000 residential units and a total Gross Floor Area (GFA) of 260,005 m<sup>2</sup>. The development includes two new public roads, a 0.56 ha (1.39 ac) public park and an FSI of 7.40 times the area of the lot.
- The Applications were appealed to the OLT (Files OLT-24-000031, OLT -24-000032 and OLT-23-000033) on December 1, 2023.

## **Report Highlights continued**

- Council direction is required for Staff, Legal counsel and if required, external consultants to attend the OLT in support of Council's direction.
- A first Case Management Conference ('CMC') was held on April 23, 2024, and a subsequent CMC is scheduled for September 18, 2024

## **Recommendations**

THAT the OLT be advised that Vaughan Council ENDORSES the following recommendations:

1. THAT Official Plan Amendment File OP.22.008 (Avenue 7 Developments Ltd.) BE APPROVED, to amend Vaughan Official Plan 2010, Volume 1 for the Subject Lands shown on Attachment 2, as follows:
  - a) to amend Schedule 13, Land Use to re-designate the lands from "Employment Commercial Mixed-Use" to "High-Rise Mixed-Use";
  - b) to increase the maximum permitted building height from 10-storeys to 60-storeys;
  - c) to increase the maximum permitted FSI from 3.0 to 7.40 times the area of the lot;
  - d) to permit podium townhouse units in the "High-Rise Mixed-Use" designation;
  - e) notwithstanding High-Rise Buildings Policy Section 9.2.3.6, setbacks will be in accordance with the site-specific by-law.
2. THAT Zoning By-law Amendment File Z.22.015 (Avenue 7 Developments Ltd.) BE APPROVED, to amend Zoning By-law 1-88 to rezone the Subject Lands from "EM1 – Prestige Employment Area Zone" subject to site-specific Exception 9(1322) and "C6 – Highway Commercial" subject to site-specific Exception 9(784) to "C9 Corporate Centre Zone" with a Holding Symbol "(H)" and "OS2 Open Space Park Zone", as show on Attachment 2, together with the site-specific zoning exceptions identified in Table 1 of Attachment 8;
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Symbol “(H)” and “OS1 – Open Space Conservation Zone”, in the manner shown on Attachment 1 together with the site-specific zoning exceptions identified in Table 2 of Attachment 9;

4. THAT the Holding Symbol “(H)” be applied to the implementing zoning by-law(s) and shall not be removed from the Subject Lands proposed to be zoned “C9 Corporate Centre Zone” under Zoning By-law 1-88 or “HMU – High-Rise Mixed-Use” with a Holding Symbol “(H)” under Zoning By-law 001-2021, or any portion thereof until such time that the following conditions are addressed for the Subject Lands, to the satisfaction of the City:
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  - b) Vaughan Council adopts a resolution allocating sewage and water supply capacity in accordance with the City’s approved Servicing Capacity Distribution Policy to the subject lands.
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    - ii. The Owner shall front-end finance and implement or contribute to required infrastructure improvements based on the conclusions and recommendations of the City’s Integrated Urban Water Master Plan Class EA, specifically the Concord Go Centre / MTSA Functional

Servicing Strategy Report, as appropriate and to the satisfaction of the City.

- d) The Owner shall submit an updated Transportation Impact Study ('TIS'), to the satisfaction of the City. The updated TIS is to address all outstanding City comments and to analyze the proposed road network and its impact to existing roadways that are also subject to approval by the Region of York, to the satisfaction of the City.
- e) The Owner shall provide updated functional design drawings followed by detailed engineering drawings of New Public Street 1 and New Public Street 2, their intersections with Keele Street and Highway 7 and any affected accesses to the satisfaction of the City.
- f) The Owner shall obtain, as applicable, all necessary approvals/permits from Regional Municipality of York and to their sole satisfaction, as the Subject Lands and external improvements are regulated by the respective agency.
- g) The Owner shall agree within the subdivision agreement that New Public Street 1 and New Public Street 2 shall be constructed within Phase 1 of the development, including but not limited to roadways, curbs, sidewalks, municipal services, and street lighting, in accordance with the approved subdivision plan and engineering drawings.
- h) The registration of the first phase of lands for residential development for Draft Plan of Subdivision 19T-22V002 satisfactory to the City of Vaughan and the execution of applicable agreements for the dedication of public parks as per the City's Park Base Conditions and Requirements included as part of the Draft Plan of Subdivision Conditions of Approval.
- i) The dedication of public parks shall be in accordance with VOP 2010, and the payment of cash-in-lieu of parkland in accordance with the requirements of the in-effect legislation, policies and amendments.
- j) The Owner shall enter into and execute a Subdivision Agreement for 19T-22V002 which agreement shall include Developer Build Park provisions with regard to the Owner's responsibility to design and construct the entire public park block in accordance with the City of Vaughan's Developer Build Parks Policy (Policy No. 07.2.05) and the interim non-conventional stormwater infrastructure approval process led by the Development Engineering department.
- k) A development agreement is executed between CN Railway and the Owner which details the requirements of enclosed noise buffers and any environmental easements to be registered on title.

5. THAT Draft Plan of Subdivision File 19T-22V002 (Avenue 7 Developments Ltd.) as shown on Attachment 6, BE APPROVED, to permit a residential Draft Plan of Subdivision, subject to the Conditions of Draft Plan of Subdivision Approval in Attachment 10;
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7. That subject to approval of Recommendation 6., the City's Noise By-law 121-2021 Schedule 4 be updated to include the Subject Lands, conditional upon the Owner satisfying the following:
  - i. Submission of a detailed noise impact assessment and provision of any recommended noise control measures, to the satisfaction of the City (and the City's Peer Reviewer, if required);
  - ii. Approval of the related site plan development application by Vaughan Council or Delegated Staff Authority;
  - iii. Agreement to provide notice to prospective purchasers that the dwellings are located in a Class 4 Area and that agreements respecting noise mitigation may exist, and if so, to be registered on title;
  - iv. Agreement to register warning clauses on title to the satisfaction of the City; and
  - v. Submission of a copy of the registered plan of survey (i.e. R-Plan) showing the boundaries of the lands used for the designation of the Class 4 Area, to the satisfaction of the City.

## **Background**

Location: 2267 Highway 7 and 7700 Keele Street (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 1.

### ***Employment Land Conversion***

An Employment Land Conversion ('ELC') was approved for the Subject Lands on October 22, 2020, by York Region Council.

Vaughan Council, on May 27, 2020, approved the Employment Land Conversion request for the Subject Lands. York Region Committee of the Whole, on October 15, 2020, considered the recommendations presented in a report prepared by the Commissioner of Corporate Services and Chief Planner for York Region regarding the 2041 Municipal Comprehensive Review ('MCR').

On October 22, 2020, York Region Council ratified the recommendations of the report with modifications and approved the conversion request for the Subject Lands.

***The Owner appealed the Applications to the OLT for non-decision.***

On December 1, 2023, the Owner appealed the Applications to the OLT for non-decision. During the CMC held in April 2024, party/participant status requests were granted which included CN Rail, Doney Hill Holdings Inc. and Doney 80 Corp. and Kohl & Frisch Limited as Party status. A subsequent CMC has been scheduled for September 18, 2024.

***Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Applications have been submitted to permit the proposed development.***

The Owner has submitted an Official Plan and Zoning By-law Amendment Applications and a Draft Plan of Subdivision (the 'Applications') for the Subject Lands, as shown on Attachments 2 to 7 to permit the proposed development consisting of:

- Eight (8) mixed-use buildings ranging in height from 6 to 60-storeys;
  - Building 1 – Tower A (35 storeys)
  - Building 1 – Tower B (25 storeys)
  - Building 2 – Tower A (45 storeys)
  - Building 2 – Tower B (60 storeys)
  - Building 3 – Tower A (50 storeys)
  - Building 3 – Office Tower (6 storeys)
  - Building 4 – Tower A (25 storeys)
  - Building 5 – Tower B (20 storeys)
- A total of 3,000 residential units;
- A total GFA of 260,005 m<sup>2</sup>;
- A total residential GFA of 237,784 m<sup>2</sup>;
- A total non-residential GFA of 222,221 m<sup>2</sup> ;
- A maximum FSI of 7.40 times the area of the lot;
- A total of 1,810 parking spaces;
- Two new local streets; and
- A 0.56 ha (1.39 ac) public park.

The proposed Development is envisioned to be developed in four Phases from south to North with Buildings 2 and 3 along Highway 7 to be constructed last. Future Site Development and Draft Plan of Condominium Applications are required to facilitate the build-out and tenure for the Development.

***Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol.***

- Date of Notice (Circulated 150 m from Subject Lands and to the expanded polling area as shown on Attachment 1): August 19<sup>th</sup>, 2022
- Location of Notice Signs: Keele Street frontage and Highway 7 frontage
- Date of Public Meeting: September 13, 2022, date ratified by Council September 28, 2022

- Other Meetings: Applicant Led Community Meeting – April 17, 2023, held at Fontana Gardens Banquet Hall
- Date of Committee of the Whole Courtesy Notice sent to those requested to be notified: April 30<sup>th</sup>, 2024

***Public Comments were received.***

The following is a summary of the comments provided and received to date. The comments are:

***Density, Built Form and Building Design***

- The proposed buildings are too tall for the area and are better suited for the VMC Area.
- The sense of community that exists at the southeast corner of Keele Street and Highway 7 (Rockview Gardens) will be lost once the large condominiums are constructed.
- The development will have impacts on the surrounding area and should be planned in a comprehensive manner.
- The heights and density proposed is an imbalance of the MZO approved heights and densities at the northeast corner of Keele and Highway 7.
- 3,000 residential units is too many.

***Traffic, Parking and Safety***

- There is already a lot of traffic along Keele Street and the proposal and additional people will add to this already congested area.
- Traffic calming measures should be included along Keele Street.
- The area has seen an increase in crime over the last several years, and the added population to the area may increase this issue and foster additional crime.
- Is there an opportunity to increase the number of proposed parking spaces.

These comments are addressed throughout this report.

**Previous Reports/Authority**

Previous reports related to the Applications and/or Subject Lands can be found at the following links:

Extract From Council Meeting Minutes of May 27, 2020  
[May 27, 2020, Committee of the Whole \(Item 10, Report No. 20\)](#)

York Region Committee of the Whole Planning and Economic Development Report  
[October 15, 2020, Committee of the York Region Committee of the Whole, Planning and Economic Development \(Item 3, Report C\)](#)

Avenue 7 Developments Ltd., Public Meeting Report  
[September 13, 2022, Committee of the Whole Public Meeting Report \(Item 1, Report 33\)](#)



## **Analysis and Options**

***The Development is consistent with the Provincial Policy Statement and conforms to the Growth Plan, York Region Official Plan and VOP 2010.***

### Provincial Policy Statement, 2020 ('PPS')

The PPS provides direction on matters of Provincial interest related to land use planning and development and include building strong, healthy communities with an emphasis on efficient development and land use patterns, wise use and management of resources, and protecting public health and safety.

The Subject Lands are within a Settlement Area and the Delineated Built-Up Area of the Built Boundary of York Region. The Proposed Development facilitates a compact urban form through the intensification of underutilized lands in the City's established Settlement Area where full municipal services exist. The compact urban form, the ability to utilize existing municipal infrastructure, and the opportunity to provide housing with varying unit sizes facilitate a higher density development that capitalizes on the transportation infrastructure investments, consistent with the PPS. Staff are satisfied that the Proposed Development is consistent with the PPS.

### A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the 'Growth Plan')

The Growth Plan provides a framework for implementing the Province's vision for building strong, prosperous communities within the Greater Golden Horseshoe to 2041. The premise of the Growth Plan is building compact, vibrant and complete communities, developing a strong competitive economy, protecting and wisely using natural resources, and optimizing the use of existing and new infrastructure to support growth in a compact and efficient form.

The Subject Lands are within an Intensification Area, in proximity to higher order transit facilities and within the Keele Bus Rapid Transit ('BRT') Protected Major Transit Station Area 60 ('PMTSA 60'). The Growth Plan defines a PMTSA as the area within an approximate 500 to 800 m of a transit station. The Subject Lands front onto Bus Rapid Transit ('BRT') Station PMTSA and bike lane routes along Highway 7. The Development shown on Attachments 2 to 7 conforms to the Growth Plan.

### York Region Official Plan 2022 ('YROP 2022')

The YROP 2022 designates the Subject Lands "Urban Area", which permits a wide range of residential, commercial, industrial, and institutional uses. The Subject Lands are located within the Keele BRT Protected Major Transit Station Area 60. Regional Centres and PMTSA's are focal points for the highest densities and most intensive development. The Proposed Development, which conforms to the YROP 2022, provides for a denser and more intense development on a parcel of the land in close proximity to existing transit facilities.

### York Region Official Plan 2010 ('YROP 2010')

The YROP 2022 replaces the YROP with respect to applications not deemed to be complete as of the YROP 2022 date of approval (Transition Policy 7.4.13). As the Applications were deemed complete prior to the approval of YROP 2022, the YROP remains as the in-force Regional Official Plan against which conformity of the Applications is measured.

The YROP 2010 designates the Subject Lands "Urban Area", which permits a wide range of residential, commercial, industrial, and institutional uses. The Subject Lands are located within the Keele Bus Rapid Transit ('BRT') Protected Major Transit Station Area 60 ('PMTSA 60'). Regional Centres and PMTSA's are focal points for the highest densities and most intensive development. The Proposed Development, which conforms to the YROP 2010, provides for a denser and more intense development on a parcel of the land in close proximity to existing transit facilities.

### Vaughan Official Plan 2010 ('VOP 2010')

VOP 2010 sets out the municipality's general planning goals and policies that guide future land use. The Subject Lands are identified in VOP 2010 as follows:

- "Regional Intensification Corridors within Employment Areas" on Schedule 1 – "Urban Structure" of VOP 2010
- "Employment Commercial Mixed-Use" on Schedule 13 – Land Use of VOP 2010

The "Employment Commercial Mixed-Use" designation permits a maximum height of 10 storeys, and a maximum FSI of 3.0 times the area of the lot. The following amendments to VOP 2010 are required to permit the Development as shown on Attachments 2 to 7:

- to amend Schedule 13, Land Use to re-designate the lands from "Employment Commercial Mixed-Use" to "High-Rise Mixed-Use";
- to increase the maximum permitted building height from 10-storeys to 60-storeys;
- to increase the maximum permitted FSI from 3.0 to 7.40 times the area of the lot;
- to permit townhouse units in the "High-Rise Mixed-Use" designation.

The Development shown on Attachments 2 to 7 is located in an Urban Area, situated within a PMTSA and a Regional Intensification Corridor and would utilize existing infrastructure. The Development provides for a denser and more intense development on a parcel of the land in close proximity to existing transit facilities. On this basis, the Development conforms to VOP 2010.

**Council enacted Zoning By-law 001-2021 on October 20, 2021 as the new Vaughan Comprehensive Zoning By-law.**

Applications to amend both Zoning By-law 1-88 and Zoning By-law 001-2021 are required because Zoning By-law 001-2021 is not in force for the Subject Lands due to it being under appeal.

**Amendments to Zoning By-law 1-88 and 001-2021 are required to permit the development.**

Zoning By-law 1-88:

- “EM1 – Prestige Employment Area Zone” subject to site-specific Exception 9(1322) and ‘C6 – Highway Commercial’ subject to site-specific Exception 9(784) by Zoning By-law 1-88.
- These zones do not permit the proposed Development
- The Owner proposes to rezone the Subject Lands to “C9 Corporate Centre Zone” and “OS2 Open Space Park Zone” in the manner shown on Attachment 2 together with the site-specific zoning exceptions to permit the Development included in Table 1 of Attachment 8.

Zoning By-law 001-2021:

- “EMU – Employment Commercial Mixed-Use” subject to site-specific Exception 14.958, and “EMU – Employment Commercial Mixed-Use” subject to site-specific Exception 14.487.
- These zones do not permit the proposed Development
- The Owner proposes to rezone the Subject Lands to ‘HMU High-Rise Mixed Use’ and ‘Open Space Conservation Zone’ in the manner shown on Attachment 2, together with the following site-specific exceptions to permit the Development included in Table 2 of Attachment 9.

The Development Planning Department can support the remaining zoning exceptions identified in Table 1 of Attachment 8 and Table 2 of Attachment 9 on the basis that the proposed site-specific zoning standards identified in Table 1 and Table 2 would facilitate a development that is consistent with the policies of the PPS and conforms to the Growth Plan. The site-specific development standards will enable a compact built form and pedestrian realm relationship that is supported in an Intensification Area with access to transit.

Minor modifications may be made to the zoning exceptions identified in Table 1 and Table 2 (Attachments 8 and 9) prior to the enactment of an implementing Zoning By-law, as required, should the Applications be approved.

**A Holding Symbol “(H)” is recommended for the Subject Lands to satisfy the conditions of the City.**

A Holding Symbol “(H)” is recommended to be placed on the proposed zoning for the Subject Lands to address the outstanding issues discussed throughout this report. The Holding Symbol “(H)” shall not be removed from the Subject Lands, or any portion thereof, until the conditions included in the Recommendation section of this report are

addressed to the satisfaction of the City. A condition to this effect is included in the Recommendations of this report.

***The Development Planning Department supports the Development, subject to conditions.***

The Development Planning Department recommends approval of the Development as shown on Attachment 2 to 7, subject to conditions as contained in Attachment 10.

Site Plan

The Development shown on Attachments 2 to 7 consists of eight (8) mixed-use buildings ranging in height from 6 to 60-storeys, a total of 3,000 residential units with an overall GFA of 260,005 m<sup>2</sup> and a maximum FSI of 7.40 times the area of the lot.

The proposal provides for a total of 1,810 parking spaces including three levels of underground parking as well as two new local streets and a 0.56 ha (1.39 ac) public park.

Access to the Subject Lands will be via Keele Street and a New Public Street 2 with a new signalized intersection which will function as the primary access to the Site. As a result, the Rockview Gardens at Keele Street intersection will need to be restricted to right-in/right-out only.

An unsignalized right-in/right-out access onto Highway 7 is also proposed and will function as a secondary access to the Site. The small parcel of lands between Highway 7 and the Subject Lands have been transferred from the Province to the Region of York. The Owner acknowledges that a portion of these lands will be required to complete New Public Street 1 north to Highway 7.

Design Review Panel ('DRP')

On November 24, 2022, the Applications were considered by the DRP. The minutes to the DRP can be found at Meeting 105, Nov. 24, 2022.

Phasing – The Panel commented on the phasing strategy for the proposed park and grocery store and suggested prioritizing them in phase one.

Frontages – The Panel recommended that the Applicant future proof the southern and western frontages that interface with industrial and warehouse buildings and that consideration needs to be given to ensure that these frontages can work from the start and can evolve over a longer period.

***The Development Planning Department supports the approval of the Draft Plan, subject to the Conditions of Approval.***

Subdivision Design

The proposed Draft Plan of Subdivision (File 19T-22V002) shown on Attachment 6 is to create 8 blocks which will contain a mixed-use block, a park block, as well as roads.

### Urban Design

All development within the Draft Plan is required to proceed in accordance with the Vaughan Council approved City-wide Urban Design Guidelines. The Owner shall provide a detailed Urban Design Guidelines. A condition to this effect is included in Attachment 10 a).

The podium facade for Building 2 which contains a 6 storey above-grade parking fronting Highway 7 shall incorporate a Public Art piece to mitigate the adverse impact of the exposed parking structure on the public realm to the Satisfaction of the City. A condition to this effect is included in Attachment 10 a). A Phasing Plan is required to ensure public infrastructure is delivered in a timely manner to properly service the existing and proposed community to the Satisfaction of the City. A condition to this effect is included in Attachment 10 a).

### Archaeology

The Development Planning Department, Urban Design and Cultural Heritage Division has advised there are no built heritage concerns on the Subject Lands and is not identified as having archaeological potential, subject to any archaeological resources or human remains being located during construction. Warning clauses in this regard are included as Conditions of Approval in Attachment 10 a).

### ***The Development achieves a Bronze Sustainability Threshold Score.***

The Development achieves an overall Sustainability Performance Metrics ('SPM') application score of 27 (bronze level). This score meets minimum threshold requirements.

### Financial Impact

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

### Operational Impact

#### ***The Policy Planning and Special Programs Department ('PPSP') has no objection to the Development subject to Conditions of Approval.***

The PPSP has advised that there are no natural heritage features on the Subject Lands and therefore, has no further concerns respecting these Applications. However, all applications regardless of their location are required to abide by the Endangered Species Act (2007) regulated by the Ministry of Natural Resources and Forestry ('MNRF'). The Owner is required to complete an information request form and submit it to the MNRF for confirmation of any potential Species at Risk on the Subject Lands. A condition to this effect is included in Attachment 10 a).

#### ***Parks Infrastructure Planning and Development ('PIPD') has no objection to the Development subject to Conditions of Approval.***

PIPD has provided holding conditions as well as draft plan of subdivision conditions as contained in Attachment 10a).

PIPD has requested that the Owner shall convey Block 2 to the City free and clear of all charges encumbrances with exception of the public underground storm water tank, if required by the City, to the City's satisfaction. The total area of the Park Block 2 shall be approximately 0.56 Ha and centrally located abutting the south public road of the development site for park development. As stipulated in the Conditions of Draft Plan Approval (Attachment 10 h)), the development of the public park block(s) shall be coordinated with the residential development in order to provide park facilities to the local residents in a timely manner, to the satisfaction of the City. The development and construction of the public parkland block shall occur in the first phase of development.

***The Development Engineering ('DE') Department has no objection to the development subject to the conditions in this report.***

The DE Department has provided the following comments:

Water Servicing

The Subject Lands are located within the City's Pressure District 6 ('PD'). The water servicing for the Subject Lands will be provided from the existing municipal watermains on Highway 7 and Keele Street via the proposed municipal roads. There is an existing water service connection to the Subject Lands that will be decommissioned. Water servicing shall conform to the conclusions and recommendations of the City's ongoing Integrated Urban Water Master Plan Class EA/FSSR.

Sanitary Servicing

The proposed sanitary sewer system will discharge to the existing municipal sanitary sewer on Keele Street. The Master Functional Servicing Report ('FSR') has identified capacity constraints in the downstream system in pre-development and post-development conditions. The FSR proposes sanitary infrastructure improvements to support the full build-out of the proposed development. The Owner shall contribute its share of the cost of infrastructure works and/or undertake necessary works associated with improvements to the downstream sanitary sewer system to the satisfaction of the City. The infrastructure improvements will be based on the conclusions and recommendations of the completed Functional Servicing Strategy Report.

Storm Servicing

The Subject Lands are part of the Don River Sub-watershed. The proposed storm sewer system will outlet to the existing regional storm sewer along Keele Street discharging to the municipal storm sewer on Rockview Garden. The proposed drainage scheme for the site will provide site level quantity control measures within each of the proposed site plan development phase areas and the park block in such a way that it mimics current drainage conditions as closely as possible.

Release rates are calculated based on the existing controlled rates from the subject site to the sewers on Keele Street. Underground storage tanks and control structures are proposed to provide the site level controls.

In order to service the site, it is proposed that Phase 3 and Phase 4 will convey storm runoff to the existing north-running storm sewer along Keele Street which drains to the Highway 7 storm sewers. Phase 1 and Phase 2 are serviced by the proposed storm sewer along the proposed public roads which will be connected to the existing south-running storm sewer along Keele Street.

The runoff generated from the public roadways will be treated by Oil Grit Separator ('OGS') units prior to entering a municipal underground storage tank within the park land for the controlled areas, and the municipal sewer system for the uncontrolled area. Additional operation and maintenance costs may result from the two OGS units within the public right-of-way and the proposed municipal underground storage tank in the Park Block.

DE requires that appropriate stormwater modelling information and all implementation, operation and maintenance and future replacement costs be supplied to support the Owner's proposal. The Owner will also be required to pay for all costs toward the additional operation and maintenance costs of the underground storage chamber and OGS units, as necessary.

#### Noise Impact Study

The Noise Feasibility study identified sound levels equal to MECP noise criteria, with possible exceedances of the MECP noise criteria due to variability in operations and recommended the Subject Lands be designated as a Class 4 Area to be protective of these minor exceedances, which permits higher stationary sound levels at the noise sensitive lands and allows for onsite mitigation noise measures. The City retained a noise peer reviewer who undertook an assessment of the noise feasibility study to determine if the Class 4 Area designation was justified. Based on the noise feasibility study and the City's noise peer review, to further enhance compatibility between the proposed new uses and surrounding existing uses (i.e., CN MacMillan Yard and adjacent commercial/industrial facilities), a Class 4 Area designation is deemed appropriate and recommended for the Subject Lands and have been included in the Recommendations of this report.

#### Environmental Site Assessment

The Interim Phase Two Environmental Site Assessment ('ESA') report identified soil and groundwater impacts at various locations of the Subject Lands (defined as only 7700 Keele Street in the Interim Phase Two ESA report) that exceeded the applicable MECP site conditions standards. The Owner submitted a Remedial Action Plan (RAP) which proposed excavation of the impacted soil and post-remediation groundwater analysis. Given that remediation will be required, the Holding Symbol "(H)" shall be applied to the Zoning By-law Amendment with the removal conditional upon the City's receipt of a MECP Record of Site Condition ('RSC') filed on the Environmental Site Registry.

### Servicing Allocation

A Holding Symbol "(H)" will be required for the Development application and availability of Regional servicing capacity will be assessed at the site plan approval stage.

### Transportation Engineering

The Owner has submitted a Transportation Impact Study ('TIS') in support of the application along with functional design drawings of the proposed road network, which comprises of minor collector roads forming an L-shape between Highway 7 and Keele Street. These materials have been reviewed by the Transportation Engineering division, and overall, revision to the TIS, functional design drawings, and clarification regarding the transportation facilities on-site is required. A number of improvements are recommended to the boundary road network in the analyses of the TIS which must be confirmed and coordinated with York Region, as well as coordination with neighbouring landowners to the south as there will be modifications to neighbouring access.

Conditions of the approval are required to also be included in the holding provisions that the TIS and functional design drawings be updated to the satisfaction of staff, prior to the submission of detailed engineering drawings for the proposed roadways. York Region approval is required and satisfying any conditions of York Region, involving improvements to the boundary roads, will be provided/granted as conditions of the approval.

Regarding the access modifications required with the neighbouring owner, staff will require coordination with the owner and the relevant agreements be secured as conditions of the approval and as a holding provision. Lastly, a number of revisions to the Draft Zoning By-Law Amendment are required and have been specified via comments provided to the Applicant.

### ***Cash-in-Lieu of the dedication of parkland is required.***

The Owner is required to pay to the City by way of certified cheque, cash-in-lieu of the dedication of the parkland, in accordance with the *Planning Act* and the City's cash-in-lieu Policy. A condition to this effect is included in Attachment 10 a).

### ***Community Benefits Charge ('CBC') is applicable and will be collected at Building Permit Stage.***

The development meets the criteria for CBC being 5 or more storeys and 10 or more units. The City passed the CBC By-law on September 14, 2022, which is therefore the applicable mechanism used to collect community benefits.

### ***Other external agencies and various utilities have no objection to the Development.***

The York Catholic District School Board ('YCDSB'), Canada Post, Alectra Utilities, Enbridge, Hydro One, Bell Canada, Rogers and Bombardier have no objection to the Applications, subject to the conditions included in Attachments 10 d), e), f) and g).



The York Region District School Board ('YRDSB') noted that the lands on which the proposal is contemplated were not anticipated for residential uses. The YRDSB staff have concerns that the existing schools and school sites in the area will not be able to accommodate existing students and future developments in the area.

***Canadian National Railway ('CN') noted concerns with the Development.***

CN notes that a portion of the Subject Lands consisting of residential towers is located within 300 metres of the CN MacMillan Rail Yard ('Rail Yard'). In addition, portions of the development are beyond 300 metres from the Railyard, but within the 1,000 metre area of influence for the Rail Yard.

CN has noted significant concerns regarding the proposed development and does not support the development of sensitive land uses such as residential uses within 300 metres of the Rail Yard, consistent with the FCM/RAC Guidelines and the MECP D-Series Guidelines.

CN's concerns are rooted in the safety of the public and the lack of compatibility between the proposed sensitive uses and the active railyard and related operations. It is also CN's objective to protect current and future operations of the rail facility.

Specifically, CN notes the following concerns:

Noise

CN has concerns that the Noise Study as provided by the Applicant does not appropriately address the rail operations in the area.

Planning

CN's position is that based on the material provided, the Applicant has not addressed the 2020 Provincial Policy Statement and other land use planning policy documents.

Odour

CN notes upon a cursory review that CN's property which encompasses MacMillan Rail Yard is within 300 m of the Subject Lands, contrary to what is stated in the SLR Study of June 2023 as submitted by the Applicant. In addition, as CN is federally regulated CN is not required to obtain an Environmental Compliance Approval ('ECA') for its operations.

Prior to final Draft Plan approval, the Owner shall satisfy CN's conditions identified in Attachment 10 h).

***Vaughan Fire and Emergency Services has concerns with the Development.***

Vaughan Fire and Rescue Services ('VFR') and Emergency Planning Staff noted concerns with the proposed residential uses being located adjacent to several industrial companies within the employment area as well as the use of a spur line which is part of the CN Rail Line for storage of rail tankers. As the industrial companies are federally regulated and the fuel tankers are sufficiently setback back approximately 28 m southwest of the Subject Lands, Development Planning Staff is satisfied that no further study is required.

## **Broader Regional Impacts/Considerations**

The Subject Lands are located along both Highway 7 and Keele Street, both of which are Major Arterial - Regional Roads.

York Region, on (April 12, 2024) provided comments which state that The Region does not support the approval of the Draft Plan of Subdivision File 19T-V22002 until such time as the Applicant has addressed the transportation related comments to the satisfaction of York Region Transportation Planning Staff.

The Region noted that in the event the Draft Plan of Subdivision is approved by the OLT, the plan is subject to the Schedule of Clauses/Conditions in Attachment 10 b).

### ***The Toronto and Region Conservation Authority ('TRCA') has provided conditions of approval.***

Upon review of the materials in support of the Applications, TRCA staff have no objection to the approval of the Draft Plan of Subdivision, subject to the conditions as contained in Attachment 10 c).

## **Conclusion**

The Development Planning Department is satisfied the Applications are consistent with the PPS, conforms with the Growth Plan, YROP and VOP 2010, and is appropriate for the development of the Subject Lands. The Development is considered appropriate and compatible with existing and planned surrounding land uses. Accordingly, the Development Planning Department can recommend approval of the Applications, subject to the recommendations in this report and Conditions of Approval in Attachment 10.

**For more information**, please contact Mary Caputo, Senior Manager of Development Planner, at extension 8635.

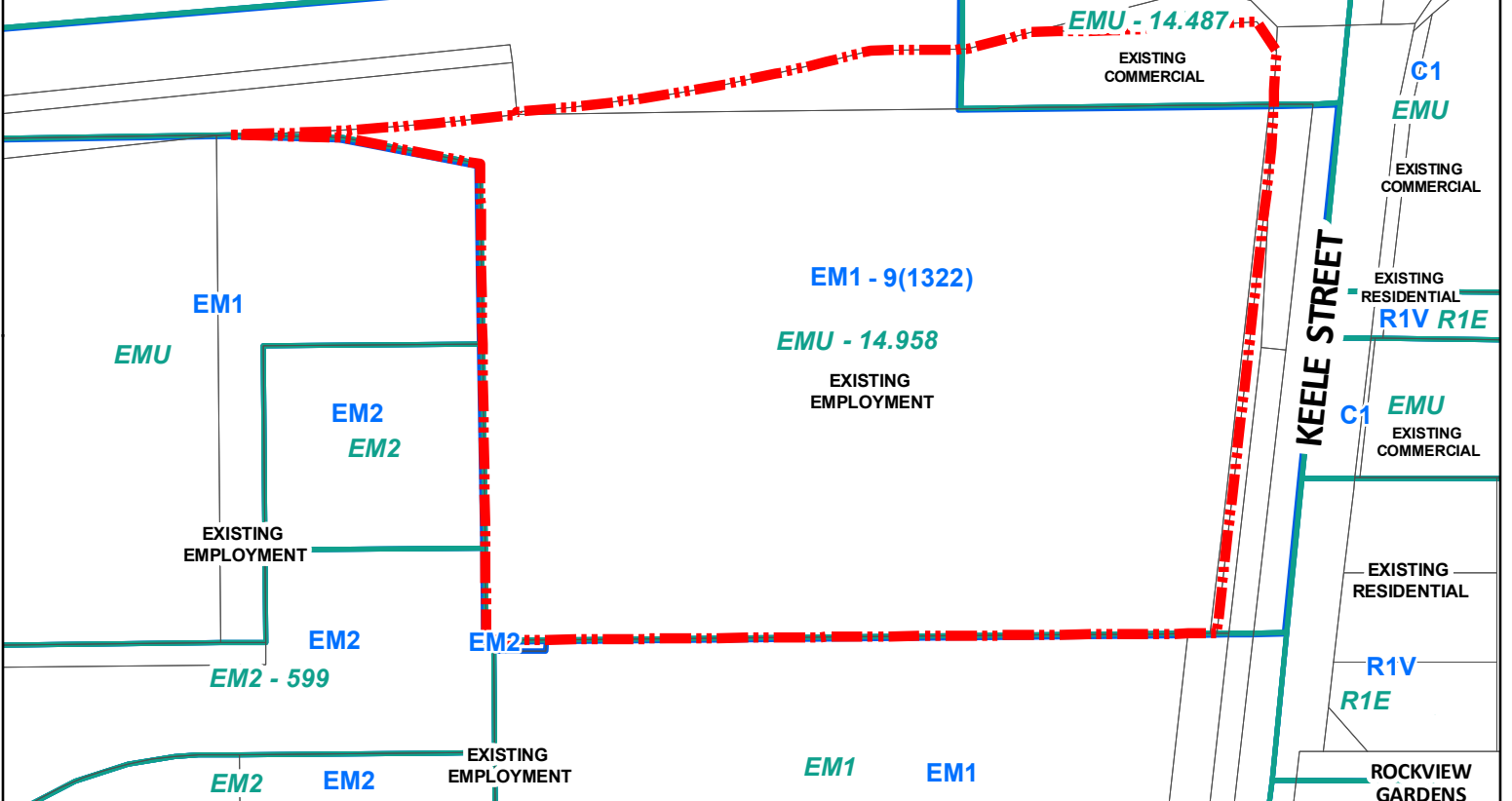
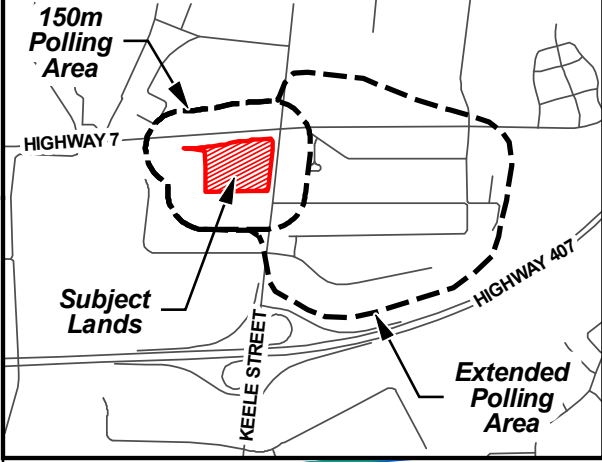
## **Attachments**

1. Context and Location Map
2. Proposed Official Plan Designation, Zoning and Site Plan
3. Landscape Plan
4. Building Elevations – North (Facing Highway 7)
5. Building Elevations – East (Facing Keele Street)
6. Draft Plan 19T-22V002
7. Perspective Rendering
8. Zoning By-law 1-88 Table 1
9. Zoning By-law 001-2021 Table 2
10. Conditions of Draft Plan of Subdivision Approval File 19T-22V002

## **Prepared by**

Mary Caputo, Senior Manager of Development Planning, ext. 8635  
Nancy Tuckett, Director of Development Planning, ext. 8529

# CONTEXT MAP



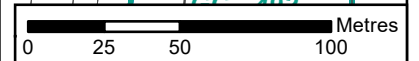
## Zoning By-Law 1-88

- C1, Restricted Commercial
- C6, Highway Commercial
- EM1, Prestige Employment
- EM2, General Employment
- EM3(H), Retail Warehouse Employment Area with the Holding Symbol
- EM3, Retail Warehouse Employment
- R1V, Old Village Residential

## Zoning By-Law 001-2021

- EM1, Prestige Employment Zone
- EM2, General Employment Zone
- EMU(H), Employment Commercial Mixed-Use Zone with the Holding Symbol
- EMU, Employment Commercial Mixed-Use Zone
- GC, General Commercial Zone
- OS1, Open Space Zone
- R1E, First Density Residential Zone

Subject Lands



# Context and Location Map

**Location:**  
7700 Keele Street and 2267 Highway 7  
Part of Lot 5, Concession 4

**Applicant:**  
Avenue 7 Developments Ltd.

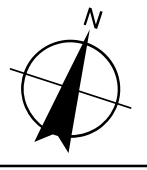


# Attachment

**Files:**  
OP.22.008, Z.22.015  
and 19T-22V002

**Date:**  
May 14, 2024

# 1

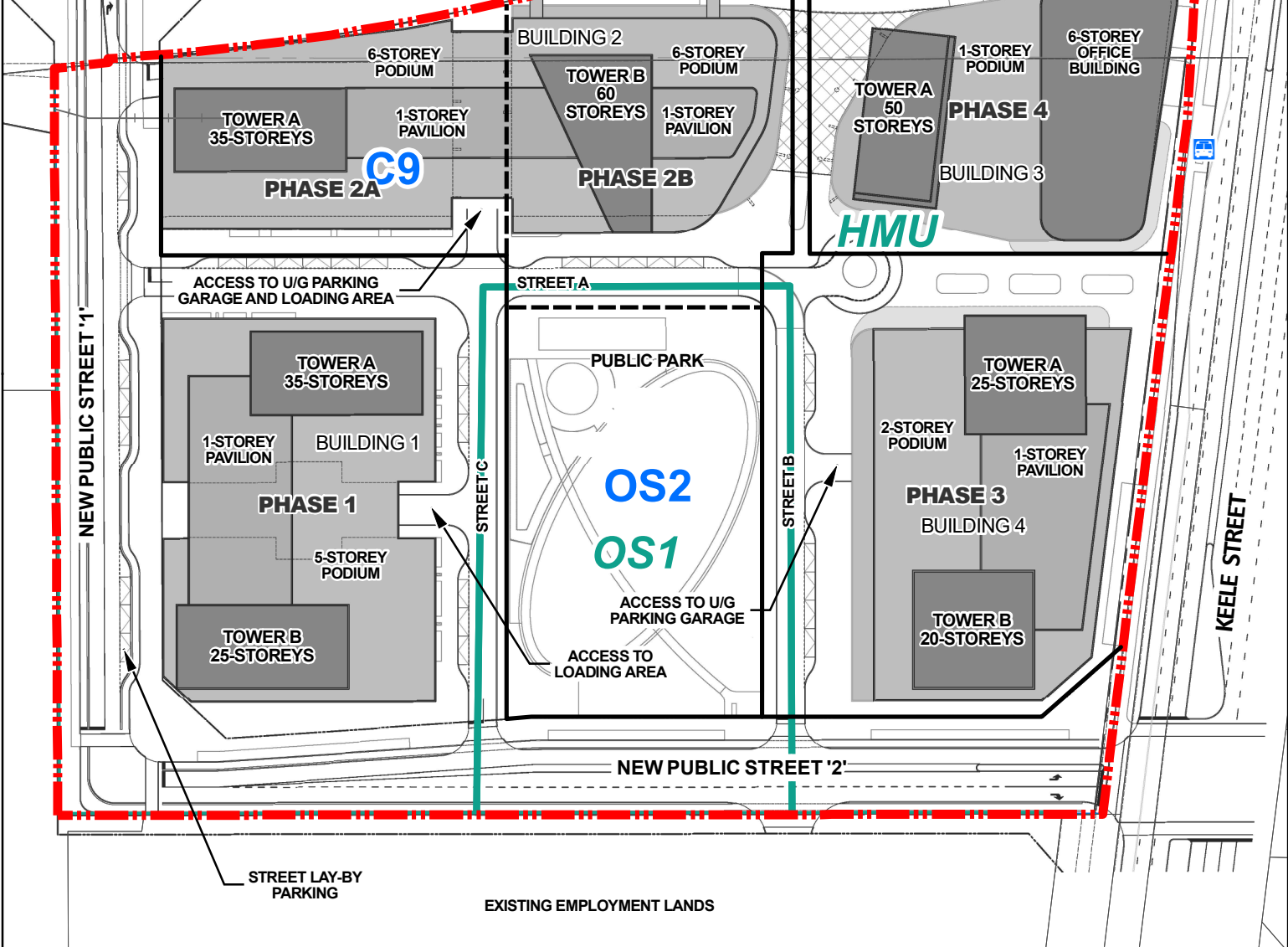


HIGHWAY 7

High-Rise  
Mixed-Use  
Designation

TRANSIT STOP

LANDS NOT OWNED BY APPLICANT



Zoning By-Law 1-88

Zoning By-Law 001-2021

C9, Corporate Centre Zone

HMU, High-Rise Mixed-Use Zone

OS2, Open Space Park

OS1, Open Space Zone

 Subject Lands

ROCKVIEW  
GARDENS

0 20 40 80 Metres

# Proposed Official Plan Designation, Zoning and Site Plan

# Attachment

**Location:**  
7700 Keele Street and 2267 Highway 7  
Part of Lot 5, Concession 4



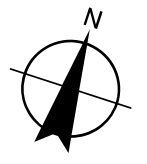
**Applicant:**  
Avenue 7 Developments Ltd.

**Files:**  
OP.22.008, Z.22.015  
and 19T-22V002

**Date:**  
May 14, 2024

# 2





HIGHWAY 7



# Landscape Plan

**Location:**  
7700 Keele Street and 2267 Highway 7  
Part of Lot 5, Concession 4

**Applicant:**  
Avenue 7 Developments Ltd.

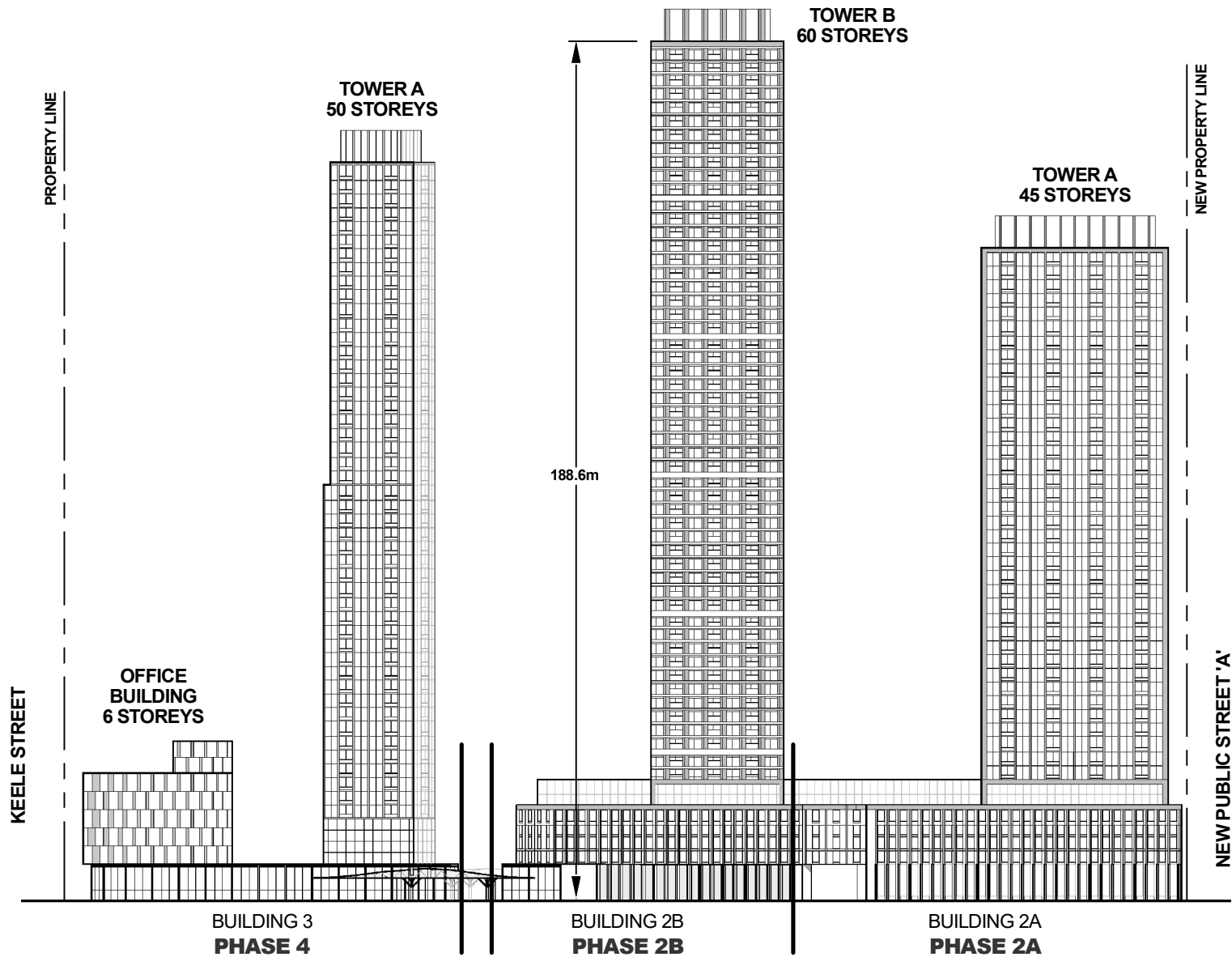


# Attachment

**Files:**  
OP.22.008, Z.22.015  
and 19T-22V002

**Date:**  
May 14, 2024

# 3



Not to Scale

## Building Elevations - North (Facing Highway 7)

**Location:**  
7700 Keele Street and 2267 Highway 7  
Part of Lot 5, Concession 4

**Applicant:**  
Avenue 7 Developments Ltd.

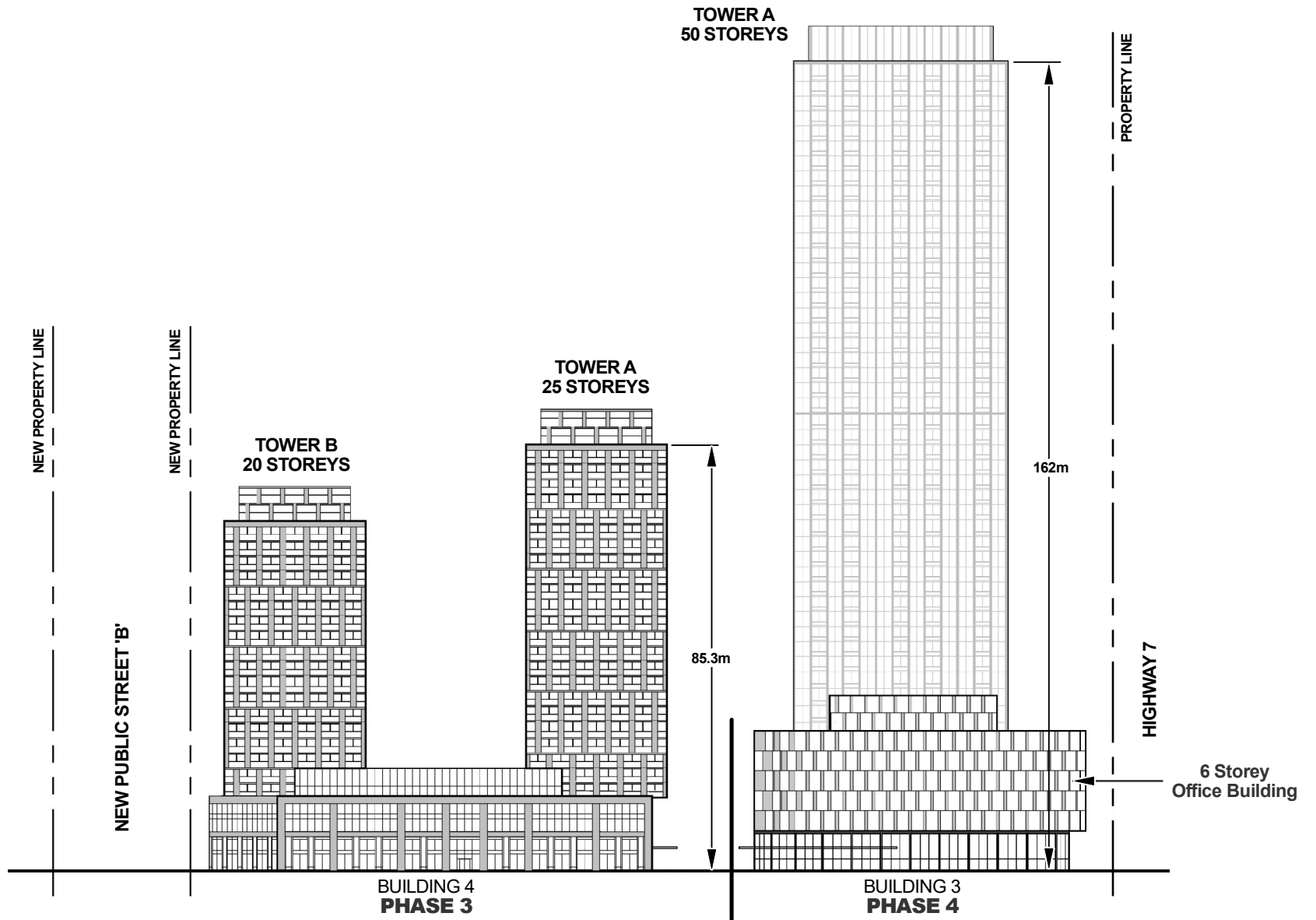


## Attachment

**Files:**  
OP.22.008, Z.22.015  
and 19T-22V002

**Date:**  
May 14, 2024

# 4



Not to Scale

## Building Elevations - East (Facing Keele Street)

**Location:**  
7700 Keele Street and 2267 Highway 7  
Part of Lot 5, Concession 4

**Applicant:**  
Avenue 7 Developments Ltd.



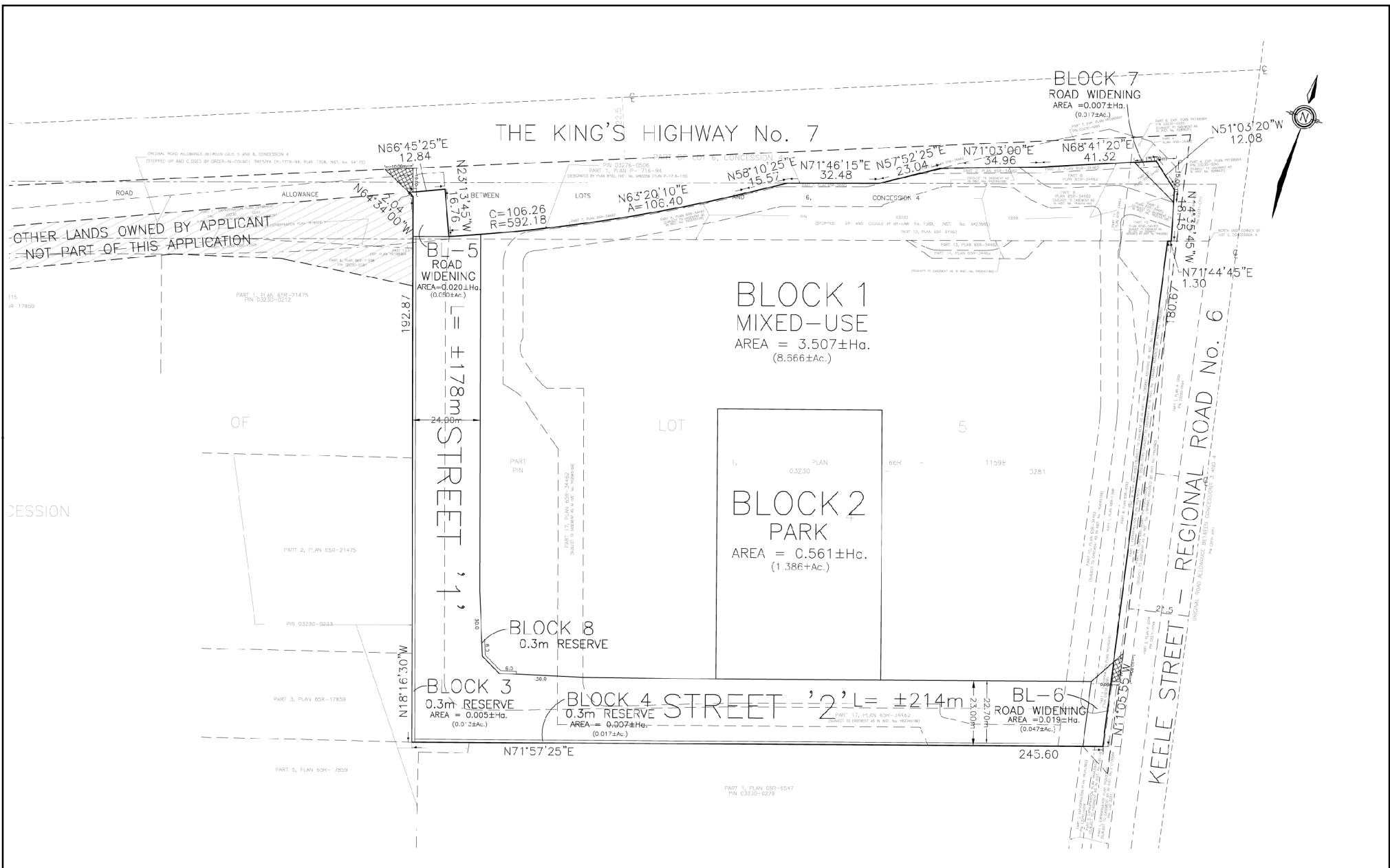
## Attachment

**Files:**  
OP.22.008, Z.22.015  
and 19T-22V002

**Date:**  
May 14, 2024

# 5





# Draft Plan 19T-22V002

**Location:**  
7700 Keele Street and 2267 Highway 7  
Part of Lot 5, Concession 4

**Applicant:**  
Avenue 7 Developments Ltd.



# Attachment

**Files:**  
OP.22.008, Z.22.015  
and 19T-22V002

**Date:**  
May 14, 2024

# 6





Not to Scale

## Perspective Rendering

**Location:**  
7700 Keele Street and 2267 Highway 7  
Part of Lot 5, Concession 4

**Applicant:**  
Avenue 7 Developments Ltd.



## Attachment

**Files:**  
OP.22.008, Z.22.015  
and 19T-22V002

**Date:**  
May 14, 2024

# 7

## Attachment 8 – Zoning By-law 1-88

Table 1:

	<b>Zoning By-law 1-88 Standard</b>	<b>C9 Corporate Centre Zone Requirement</b>	<b>Proposed Exceptions to the C9 Corporate Centre Zone Requirement</b>
a.	Minimum Front Yard	3 m (residential uses) 0 m (non-residential uses)	4.5 m
b.	Minimum Setback to Highway 7	The minimum setback for any building from the planned width of Regional Road Seven (formerly Hwy No. 7) shall be 3.0 m	1.0 m
c.	Minimum Rear Yard	6 m (residential uses) 3 m (non-residential uses)	2.0 m at grade 1.0 m above grade
d.	Minimum Exterior Yard	3 m (residential uses) 0 m (non-residential uses)	1.0 m
e.	Definition - Yard, Front	Means the street line, provided that in the case of a corner lot, the shorter street line is deemed to be the front lot line and provided further that in the case of a corner lot which has an abutting sight triangle the centre point of the lot line abutting the sight triangle shall be deemed to be the point of intersection of the front and side lot lines.	Shall be deemed to be Keele Street
f.	Definition - Yard, Rear	Means the lot line most nearly opposite the front lot line, but if the side lot lines intersect, means the point of intersection.	Shall be deemed to be the lot line abutting Street 1

	<b>Zoning By-law 1-88 Standard</b>	<b>C9 Corporate Centre Zone Requirement</b>	<b>Proposed Exceptions to the C9 Corporate Centre Zone Requirement</b>
g.	Definition - Lot Line, Exterior	Means the lot line, on a corner lot, which is a street line and which is not the front lot line. For the purpose of this paragraph, a reserve abutting a street line shall be deemed to be a street and a lot abutting a greenway block shall be deemed to be a corner lot and having an exterior lot line.	Shall be deemed to be Highway 7 and Street 2
h.	Definition – Lot	Means a parcel of land fronting on a street separate from any abutting land to the extent that a consent contemplated by Section 50 of the Planning Act, R.S.O. 1990, c. P. 13. would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a building permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot.	Means one lot, regardless of the number of buildings constructed thereon, the creation of separate units and/or lots by way of plan of condominium, consent, conveyance of private or public roads; strata title arrangements, or other permissions, and any easements or registrations that are granted.
i.	Definition – Community Use	Not Provided in By-law	Means facilities and services that support the health, educational, recreational and socio-cultural needs of the City and includes facilities under the Child Care and Early Years Act and schools under the Education Act or its successors; and may include: <ul style="list-style-type: none"> <li>• Community Facility</li> <li>• Community Garden</li> <li>• Day Care Centre</li> <li>• Long-Term Care Facility</li> <li>• Place of Worship</li> <li>• Public Parking</li> <li>• School</li> </ul>

	Zoning By-law 1-88 Standard	C9 Corporate Centre Zone Requirement	Proposed Exceptions to the C9 Corporate Centre Zone Requirement
			<ul style="list-style-type: none"> <li>• School, Post-secondary</li> <li>• Urban Square</li> </ul>
j.	Definition – Street Line	Means any lot line that abuts a public road or private road.	Means any lot line that abuts a public road.
k.	Definition – Parking Space, Accessible	Means a rectangular area, exclusive of any aisles or driveways, used for the temporary parking of a motor vehicle which is designed to accommodate persons with disabilities.	Means a rectangular area, exclusive of any aisles or driveways, used for the temporary parking of a motor vehicle which is designed to accommodate persons with disabilities. The minimum length of an accessible parking space shall be 5.7 m, and;
l.	Definition – Parking Space	Means a rectangular area measuring at least 2.7 m by 6.0 m, exclusive of any aisles or ingress and egress lanes, used for the temporary parking of motor vehicles, and shall include a private garage or carport and private driveway leading thereto.	Means a rectangular area measuring at least 2.7 m by 5.7 m, exclusive of any aisles or ingress and egress lanes use for the temporary parking of motor vehicles.
m.	Definition - Storey	Means the portion of a building other than the cellar, basement or unfinished attic, which lies between the surface of the floor and the surface of the next floor above, and if there is no floor above it, then the surface next above it, provided its height is not less than 2.3 m.	Means a level of a building located between the surface of a floor and the ceiling or roof immediately above it, but shall not include a basement, attic, mezzanine, or mechanical penthouse. Any portion of a building partially below grade shall be deemed a storey where its ceiling is at least 1.8 m above the established grade;
n.	Definition - Podium	Not Provided in By-law	Means the base of a building, inclusive of the ground floor, that projects horizontally from the tower.

	<b>Zoning By-law 1-88 Standard</b>	<b>C9 Corporate Centre Zone Requirement</b>	<b>Proposed Exceptions to the C9 Corporate Centre Zone Requirement</b>
o.	Definition – Dwelling, Podium Townhouse	Not Provided in By-law	Means a townhouse dwelling that is located within the podium of a building.
p.	Definition – Art Studio	Not Provided in By-law	Means premises used for the production, display, exhibition, or sale of hand-made material arts, and may include photographs, paintings, drawings, prints, sculptures, or similar artisan goods.
q.	Definition – Mezzanine	Not Provided in By-law	Means an intermediate floor level located between the floor and ceiling of the first storey of a building which shall not exceed 40% of the ground floor area.
r.	Definition – Commercial School	Means a building or part of a building where instruction or training is provided to students relating to a specific vocation, trade, business or process.	Means a building or part of a building where instruction or training is provided to students for gain or for profit.
s.	Definition – Health and Fitness Centre	Not Provided in By-law	Means a building or part of a building in which facilities are provided for the promotion of physical health and well-being.
t.	Definition – Pet Care Establishment	Not Provided in By-law	Means premises in which animal grooming, obedience training, daily animal sitting, and overnight care of animals may be provided, and where accessory products are sold.
u.	Definition - Place of Assembly	Not Provided in By-law	Means a building or part of a building used to accommodate the gathering of people for events such as trade shows, banquets, conferences, conventions, meetings, seminars, workshops or other similar events and may include accessory food preparation.

	<b>Zoning By-law 1-88 Standard</b>	<b>C9 Corporate Centre Zone Requirement</b>	<b>Proposed Exceptions to the C9 Corporate Centre Zone Requirement</b>
v.	Definition - Retail	Not provided in By-law	Means a building or part of a building where goods, wares, merchandise, substances, articles or things are offered and kept for sale directly to the public from a building.
w.	Definition – Shopping Centre	Means a building or a unified group of buildings on a lot designed, developed and managed as a single operating unit for which parking is provided in common off-street areas, as opposed to a business area comprising unrelated individual commercial establishments.	Means premises consisting of a building or group of buildings that are managed as a unit by a single owner or tenant, or by a group of owners or tenants, and contain at least three commercial units.
x.	Definition – Dwelling, Live-work	Not provided in By-law	Means a dwelling containing a business that is operated by at least one resident of the associated dwelling unit.
y.	Permitted Uses	<p>The following uses are permitted:</p> <ul style="list-style-type: none"> <li>• Office Building</li> <li>• LCBO Outlet</li> <li>• Brewer</li> <li>• Retail Outlet</li> <li>• Business and Professional Office</li> <li>• Hotel, Motel, Convention Centre</li> <li>• Banquet Hal</li> <li>• Car Rental Service</li> <li>• Club or Health Centre</li> <li>• Eating Establishment with or without Outdoor Patio</li> <li>• Eating Establishment, Convenience with or without Outdoor Patio</li> </ul>	<p>Permit the following additional uses:</p> <ul style="list-style-type: none"> <li>• Podium Townhouse Dwelling;</li> <li>• Office, Business or Professional Art Studio;</li> <li>• Business Service;</li> <li>• Clinic;</li> <li>• Commercial School;</li> <li>• Health and Fitness Centre;</li> <li>• Funeral Services;</li> <li>• Micro-manufacturing;</li> <li>• Pet Care Establishment;</li> <li>• Place of Assembly;</li> <li>• Retail;</li> <li>• Retail Convenience;</li> <li>• Shopping Centre;</li> <li>• Theatre;</li> </ul>

	<b>Zoning By-law 1-88 Standard</b>	<b>C9 Corporate Centre Zone Requirement</b>	<b>Proposed Exceptions to the C9 Corporate Centre Zone Requirement</b>
		<ul style="list-style-type: none"> <li>• Eating Establishment, Take-out</li> <li>• Tavern</li> <li>• Bank or Financial Institution</li> <li>• Mixed Use Development</li> <li>• Personal Service Shop</li> <li>• Pharmacy</li> <li>• Photography Studio</li> <li>• Print Shop</li> <li>• Place of Entertainment</li> <li>• Retail Store</li> <li>• Supermarket</li> <li>• Retail Warehouse</li> <li>• Apartment Dwelling</li> <li>• Block Townhouse Dwelling</li> <li>• Place of Amusement</li> <li>• Technical School</li> <li>• Video Store</li> <li>• Veterinary Clinic</li> <li>• Recreational Uses</li> <li>• Service or Repair Shop</li> <li>• Office and Stationery Supply, Sales, Service and Rental</li> </ul>	<ul style="list-style-type: none"> <li>• Independent Living Facility;</li> <li>• Live-work dwelling;</li> <li>• Retirement Residence; and,</li> <li>• Supportive living facility</li> </ul>
z.	Minimum Landscape Area	6.0 m in width along a lot line which abuts a street line	4.0 m abutting Keele Street 3.0 m abutting Street 2 1.0m abutting Street 1 1.0 m abutting Highway 7 1.0 m abutting a sight-triangle  The minimum landscape strip shall include hard and soft

	Zoning By-law 1-88 Standard	C9 Corporate Centre Zone Requirement	Proposed Exceptions to the C9 Corporate Centre Zone Requirement
			landscaping including landscape features, raised planter boxes, patios, transformers, and mechanical structures (e.g., Exhausts, Intakes etc.). Pedestrian access, sidewalks and access driveways shall be permitted across the landscape strip
aa.	Minimum setback from a lot line to the nearest part of a building below finished grade	1.8 m	0 m
bb.	Maximum Building Height	25 m	<p><u>Building 1:</u> Tower A: 110 m Tower B: 80 m</p> <p><u>Building 2:</u> Tower A: 144 m Tower B: 190 m</p> <p><u>Building 3:</u> Tower A: 162 m Office Building, 28 m</p> <p><u>Building 4:</u> Tower A: 86 m Tower B: 71 m</p>
cc.	Build-To Zone	0 - 3 m (non-residential uses)  3 - 6 m (residential uses)	Shall not apply
dd.	Minimum Tower Separation	Not provided for in By-law	The Tower Separation within Building 3 and from Building 3 will be – 17.0 m;  All Other Towers – 25.0 m.



	Zoning By-law 1-88 Standard	C9 Corporate Centre Zone Requirement	Proposed Exceptions to the C9 Corporate Centre Zone Requirement
ee.	Maximum Podium Height	Not provided for in By-law	23.0 m or 6 storeys
ff.	Minimum Podium Height	Not provided for in By-law	7.5 m or 3 storeys
gg.	Minimum Ground Floor Height for Podium Townhouses	Not provided for in By-law	4.0 m
hh.	Maximum Residential Density (Residential Uses)	67 m <sup>2</sup> per dwelling unit	Shall not apply
ii.	Permitted Yard Encroachments	Exterior stairways, porches and balconies and a bay window or similar projection may extend into a required interior side yard to a maximum distance of 0.3 m and may extend into a required front, exterior side or rear yard to a maximum of 1.8 m.	<p>A canopy may encroach into a minimum required rear or exterior side yard provided it is no closer than 1.0 m to the lot line.</p> <p>A 1.0m no encroachment zone shall be maintained on each lot line.</p> <p>0 m from a structure incidental to a below-grade parking structure</p> <p>Bicycle parking spaces are permitted in any yard but shall maintain a minimum setback of 1.0 metre to the property line</p>
jj.	Minimum Amenity Area	Not provided for in By-law	A total of 4 square metres of amenity area shall be provided per residential unit, comprised of 2 square metres of indoor amenity and 2 square metres of outdoor amenity
kk.	Minimum Parking Requirements	<p><b>Residential</b> 1.5 spaces per unit x 3,000 units = 4,500 spaces</p> <p><b>Residential Visitor</b> 0.25 spaces per unit x 3,000 units = 750 spaces</p>	<p><b>Residential:</b> 0.4 spaces per unit</p> <p><b>Residential Visitors:</b> 0.2 spaces per unit</p>

	Zoning By-law 1-88 Standard	C9 Corporate Centre Zone Requirement	Proposed Exceptions to the C9 Corporate Centre Zone Requirement
		<p style="text-align: center;"><b>Retail</b> 6.0 parking spaces per 100 m<sup>2</sup> of GFA x 8,086 m<sup>2</sup> = 486 spaces</p> <p style="text-align: center;"><b>Community Centre</b> 1.0 space for each 3 persons comprised in the designed maximum capacity x 540 persons = 180 spaces</p> <p style="text-align: center;"><b>Office</b> 3.5 spaces/100 m<sup>2</sup> of GFA x 10,526 m<sup>2</sup> = 369 spaces</p> <p style="text-align: center;">Total of 6,285 spaces required</p>	<p><b>Retail:</b> minimum of 2.0 spaces per 100m<sup>2</sup> GFA and maximum of 4.5 spaces per 100m<sup>2</sup> GFA</p> <p><b>Office:</b> minimum of 0.7 spaces per 100m<sup>2</sup> GFA and maximum of 4.0 spaces per 100m<sup>2</sup> GFA</p> <p><b>Business Service:</b> minimum of 0.7 per 100m<sup>2</sup> GFA and maximum of 4.0 spaces per 100m<sup>2</sup></p> <p><b>Clinic:</b> minimum of 2.0 spaces per 100m<sup>2</sup> and maximum of 4.5 spaces per 100m<sup>2</sup></p> <p><b>Commercial School:</b> minimum of 1.0 spaces per classroom or auditorium and maximum of 5.0 spaces per classroom or auditorium</p> <p><b>Financial Institution:</b> minimum of 1.0 space per 100m<sup>2</sup> of GFA</p> <p><b>Fueling Station:</b> 0.25 spaces per gas pump</p> <p><b>Health and Fitness Centre:</b> minimum of 4.0 spaces per 100m<sup>2</sup> of GFA and maximum of 8.0 spaces per 100m<sup>2</sup> of GFA</p> <p><b>Supermarket:</b> minimum of 2.0 spaces per 100m<sup>2</sup> of GFA and maximum of 4.5 spaces per 100m<sup>2</sup> of GFA</p> <p><b>Shopping Centre:</b> minimum of 2.0 spaces per 100m<sup>2</sup> of GFA and maximum of 4.5 spaces per 100m<sup>2</sup> of GFA</p>

	Zoning By-law 1-88 Standard	C9 Corporate Centre Zone Requirement	Proposed Exceptions to the C9 Corporate Centre Zone Requirement
			<p><b>Community Facility:</b> 1.0 space per 100m<sup>2</sup> GFA</p> <p><b>Community Garden:</b> no minimum spaces required, maximum of 1.0 space</p> <p><b>Day Care Centre:</b> minimum of 0.6 spaces per employee</p> <p><b>Long-term care facility:</b> 1 space per 4 beds</p> <p><b>Place of Worship:</b> minimum of 8 spaces per 100m<sup>2</sup> of worship space</p> <p><b>Retirement Residence:</b> minimum of 0.3 spaces per 100m<sup>2</sup> of GFA</p> <p><b>School:</b> minimum 1.25 spaces per classroom or auditorium, maximum of 3.0 spaces per classroom or auditorium</p> <p><b>School, Post-Secondary:</b> minimum of 3.0 spaces per classroom or auditorium, maximum of 5 spaces per classroom or auditorium</p> <p><b>Urban Square:</b> no minimum spaces required</p> <p><b>Place of Assembly:</b> minimum of 4.0 spaces per 100m<sup>2</sup> of GFA, maximum of 8.0 spaces per 100m<sup>2</sup> of GFA.</p> <p>Total Parking Spaces Proposed = 2,145</p>

	<b>Zoning By-law 1-88 Standard</b>	<b>C9 Corporate Centre Zone Requirement</b>	<b>Proposed Exceptions to the C9 Corporate Centre Zone Requirement</b>
ll.	Angled Parking Requirements	2.7 m x 6.0 m	2.7 m x 5.7 m
mm.	Required Loading Spaces and Loading Space Dimensions	<p>Building 1 – 1 loading space with the minimum dimensions of 3.4 m x 9.0 m x 4.5 m</p> <p>Building 2 – 1 loading space with the minimum dimensions of 3.4 m x 9.0 m x 4.5 m</p> <p>Building 3– 3 loading space with the minimum dimensions of 3.4 m x 9.0 m x 4.5 m</p> <p>Building 4 – 2 loading spaces with the minimum dimensions of 3.4 m x 9.0 m x 4.5 m</p>	<p>Building 1 – 1-Type B, 2-Type D, non-residential to be shared with residential</p> <p>Building 2A – 1 Type D Building 2B – 1 Type B and 1-Type D, non-residential to be shared with residential</p> <p>Building 3 and 4 – 1 Type A, 3 Type B, 2 Type C and 1 Type D. Loading spaces to be shared between Building 3 and 4.</p> <p><b>The minimum Loading Space Dimensions shall be as follows:</b></p> <p>Type A Loading Space – 3.5 m (Width) x 17.0 m (Height) x 4.4 m (Vertical Clearance)</p> <p>Type B Loading Space – 3.5 m (Width) x 11.0 m (Length) x 4.0 m (Vertical Clearance)</p> <p>Type C Loading Space – 3.5 m (Width) x 6.0 m (Length) x 3.0 (Vertical Clearance)</p> <p>Type D Loading Space – 3.5 m (Width) x 13.0 m (Length) x 6.1 m (Vertical Clearance)</p>
nn.	Where a building is constructed fronting onto Regional Road No. 7.	A minimum of 60% of the gross floor area at the ground floor level shall be composed of commercial uses which provide individual external at-grade pedestrian access to such use.	A minimum of 60% of the gross floor area of the cumulative ground floor area of all buildings (Buildings 2 and 3) fronting Highway 7 shall be composed of commercial uses which provide individual external at-grade pedestrian access to such use.



**Attachment 9 – Zoning By-law 001-2021**

Table 2:

	<b>Zoning By-law 001-2021 Standard</b>	<b>HMU High-Rise Mixed Use Zone Requirement</b>	<b>Proposed Exceptions to the HMU High-Rise Mixed Use Zone Requirement</b>
a.	Definition - Lot Line, Front	In the case of a corner lot with two or more street lines of unequal lengths, the lot line which is the shorter of the two lot lines shall be deemed to be the front lot line	Shall be deemed to be Keele Street
b.	Definition - Lot Line, Rear	Means the lot line(s) opposite the front lot line. In the case of a triangular lot, the rear lot line refers to the point of intersection of the side lot lines	Shall be deemed to be the lot line abutting Street 1
c.	Definition - Lot Line, Exterior	Means a lot line, other than a front lot line or rear lot line, which abuts a road	Shall be deemed to be Highway 7 and Street 2
d.	Definition – Lot	Means a parcel of land which can be conveyed as a separate parcel pursuant to the provisions of the Planning Act.	Means one lot, regardless of the number of buildings constructed thereon, the creation of separate units and/or lots by way of plan of condominium, consent, conveyance of private or public roads; strata title arrangements, or other permissions, and any easements or registrations that are granted.
e.	Definition – Street Line	Means any lot line that abuts a public road or private road.	Means any lot line that abuts a public road.
f.	Minimum Setback of a Below-grade Parking Structure to a Streetline	1.8 m from any lot line	0 m from any lot line
g.	Accessory Building or Structure incidental to a Below Grade Parking Structure	Shall have a minimum setback of 3.0 metres from any lot line	0 m from any lot line

h.	Minimum Parking Requirements	<p style="text-align: center;"><u>Building 1</u></p> <p>Podium Townhouse Units = 1 space per unit x 11 = 11 spaces</p> <p>Apartment Dwelling = 0.8 per unit x 679 units = 544 spaces</p> <p>Residential Visitor = 0.2 x 679 units = 136 spaces</p> <p>Retail – 2.0 parking spaces per 100 m<sup>2</sup> of GFA x 649 m<sup>2</sup> = 13 spaces</p> <p style="text-align: center;"><b>Total Parking Required Building 1 = 704 spaces</b></p> <p style="text-align: center;"><u>Building 2</u></p> <p>Podium Townhouse – 1 space per unit x 5 units = 5 spaces</p> <p>Apartment Dwelling – 0.8 per unit x 1237 = 990 spaces</p> <p>Residential Visitor – 0.2 per unit x 1,237 = 248 spaces</p> <p>Retail – 2.0 parking spaces per 100 m<sup>2</sup> of GFA x 1,263 m<sup>2</sup> = 26 spaces</p> <p style="text-align: center;"><b>Total Parking Required Building 2 = 1,269 spaces</b></p> <p style="text-align: center;"><u>Building 3</u></p> <p>Apartment dwelling – 0.8 per unit x 564 units = 452 spaces</p> <p>Residential Visitor – 0.2 per unit x 564 units = 113 spaces</p> <p>Office – 1.4 parking spaces per 100 m<sup>2</sup> of GFA x 10,526 m<sup>2</sup> = 148 spaces</p>	<p style="text-align: center;"><u>Residential</u></p> <p>0.4 spaces per unit</p> <p style="text-align: center;"><u>Visitor</u></p> <p><u>0.2 spaces per unit</u></p> <p style="text-align: center;"><u>Residential Apartment and Podium Townhouses</u></p> <p>0.4 spaces per unit x 3,000 units = 1,200 spaces</p> <p style="text-align: center;"><u>Residential Visitor</u></p> <p>0.2 spaces per unit x 3,000 units = 600 spaces</p> <p style="text-align: center;"><u>Retail</u></p> <p>2.0 spaces/100 m<sup>2</sup> of GFA x 7,934 m<sup>2</sup> = 159 spaces</p> <p style="text-align: center;"><u>Supermarket</u></p> <p>2.0 spaces/100 m<sup>2</sup> of GFA x 2,409 m<sup>2</sup> = 25 spaces</p> <p style="text-align: center;"><u>Community Centre</u></p> <p>1.0 spaces/100 m<sup>2</sup> of GFA = 14 spaces</p> <p style="text-align: center;"><u>Office</u></p> <p>1.4 spaces/100 m<sup>2</sup> of GFA = 148 spaces</p> <p style="text-align: center;"><b>Total Parking Spaces Proposed: 2,145</b></p>
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		<p>Retail – 2.0 parking spaces per 100 m<sup>2</sup> of GFA x 1,266 m<sup>2</sup> = 26 spaces</p> <p>Community Facility - 1.0 parking spaces per 100 m<sup>2</sup> of GFA x 1,352 m<sup>2</sup> = 14 spaces</p> <p><b>Total Parking Required Building 3 = 753 spaces</b></p> <p><u>Building 4</u> Apartment Dwelling – 0.8 per unit x 504 units = 404 spaces</p> <p>Residential Visitor – 0.2 spaces per unit x 504 units = 101 spaces</p> <p>Retail – 2.0 parking spaces per 100 m<sup>2</sup> of GFA x 4,756 m<sup>2</sup> = 96 spaces</p> <p>Supermarket - 2.0 parking spaces per 100 m<sup>2</sup> of GFA x 2,409 m<sup>2</sup> = 49 spaces</p> <p><b>Total Parking Required Building 4 = 650 spaces</b></p> <p><b>Total Parking Required = 3,376 spaces</b></p>	
i.	Minimum Front Yard Setback	5.0 m	4.5 m
j.	Minimum Rear Yard Setback	7.5 m	2.0 m at grade 1.0 m above grade
k.	Minimum Exterior Side Yard Setback	5.0 m	1.0 m
	Minimum Setback to Sight Triangle	5.0 m	1.0 m
l.	Building Height	Minimum 24 m Maximum 88 m	<u>Building 1:</u> Tower A: 35-storeys, 110 m Tower B: 25-storeys, 80 m



			<p><u>Building 2:</u> Tower A: 45-storeys, 144 m Tower B: 60-storeys, 190 m</p> <p><u>Building 3:</u> Tower A: 50-storeys, 162 m Office Building, 6-storeys, 28 m</p> <p><u>Building 4:</u> Tower A: 25-storeys, 86 m Tower B: 20-storeys, 71 m</p>
m.	Minimum Tower Separation	30 m	<p>The Tower Separation within Building 3 and from Building 3 will be – 17.0 metres;</p> <p>All Other Towers – 25.0 metres</p>
n.	Podium Height	<p>Minimum 10.5 m</p> <p>Maximum 20 m</p>	<p>Minimum of 7.5 m or 3 storeys</p> <p>Maximum of 23 m or 6 storeys</p>
o.	Minimum Tower Step-back	3.0 m	<p>Building 1 - 1.0 m</p> <p>Building 2 – 3.0 m, except for abutting Street A, 0 m shall be permitted</p> <p>Building 3 - 0 m</p> <p>Building 4 - 0 m</p>
p.	Minimum Tower Setback from any Rear Lot Line	<p>3.0 m</p> <p>1.0 abutting a sight-triangle</p>	<p>Building 1 Tower B 4.5 m</p> <p>Building 2 Tower B 4.0 m</p> <p>Sight Triangles 0 m</p>
q.	Required Build-to Zone	<p>The build-to zone shall apply to a minimum of 50% of the street frontage for a corner lot.</p> <p>5 – 10 m</p>	<p>The build-to-zone shall only apply to the following frontages:</p> <p>Building 1 – South 2.5 m – 7 m West – 1.5 m</p> <p>Building 2 – West – 1.5 m</p> <p>Building 3 – East - 3 – 9 m</p> <p>Building 4 – East – 3 – 9 m South – 3 – 8 m</p>

r.	Minimum Ground Floor Height	A minimum ground floor height of 4.5 m is required	A minimum ground floor height of 4.0 m for Townhouse Dwellings
s.	Maximum Tower Floor Plate	850 m <sup>2</sup>	900 m <sup>2</sup> 1,900 m <sup>2</sup> for Building 3
t.	45-Degree Angular Plane	Required	Shall not be required
u.	Canopy Encroachment (Permanent)	Permitted to encroach 0.6 m into any required yard	Permitted to encroach up to 2.5 m into any required yard for Building 3 and shall maintain 1.0 m from the property line
v.	Minimum Required Amenity Area	<p><u>Building 1</u> Podium townhouse dwelling 10m<sup>2</sup> for first 8 units + 8m<sup>2</sup> for each additional unit =34 m<sup>2</sup></p> <p>Apartment dwelling 8m<sup>2</sup> per unit for the first 8 units + 5m<sup>2</sup> for each additional unit =3,419 m<sup>2</sup></p> <p><u>Building 2</u> Podium townhouse dwelling 10m<sup>2</sup> for first 8 units + 8m<sup>2</sup> for each additional unit = 10m<sup>2</sup></p> <p>Apartment dwelling 8m<sup>2</sup> per unit for the first 8 units + 5m<sup>2</sup> for each additional unit = 6,209 m<sup>2</sup></p> <p><u>Building 3</u> Apartment dwelling 8m<sup>2</sup> per unit for the first 8 units + 5m<sup>2</sup> for each additional unit =2,844 m<sup>2</sup></p> <p><u>Building 4</u> Apartment dwelling 8m<sup>2</sup> per unit for the first 8 units + 5m<sup>2</sup> for each additional unit =2,544 m<sup>2</sup></p>	Provide for a total of 4 m <sup>2</sup> of amenity area as follows:  2.0 m <sup>2</sup> /dwelling unit of indoor and 2.0 m <sup>2</sup> of outdoor space x 3,000 units = 12,000 m <sup>2</sup>

w.	Outdoor Amenity Area at Grade	For an apartment dwelling, apartment dwelling units or podium townhouse dwelling units, the minimum outdoor amenity area requirement shall be the provision of at least one contiguous outdoor area of 55.0 m <sup>2</sup> located at grade.	For an apartment dwelling, apartment dwelling units or podium townhouse dwelling units, the minimum outdoor amenity area requirement shall be the provision of at least one continuous outdoor area of 55.0 m <sup>2</sup> not necessarily at grade
x.	Outdoor Amenity Area on a Rooftop Terrace	A maximum of 20% of the required minimum outdoor amenity area may consist of amenity area located on a rooftop or terrace.	Shall not apply
y.	Minimum Landscape Strip Abutting a Street Line	5.0 m	4.0 m abutting Keele Street 3.0 m abutting Street 2 1.0m abutting Street 1 1.0 m abutting Highway 7 1.0 m abutting a sight-triangle
z.	Short Term Bicycle Parking	A minimum of 6 are Spaces required	1 Space is proposed for Building 1
aa.	Short-Term Non-Residential Bicycle Parking Spaces	A minimum of 34 are Spaces required	31 Spaces are proposed for Building 1
bb.	Change and Shower Facility	A minimum of 1 is required for Building 3	0 for Building 3
cc.	Uses – Footnotes, Table 8-2	The maximum gross floor area on each lot for all uses subject to this provision shall be 10,000.0 m <sup>2</sup>	The maximum gross floor area on each lot for all uses subject to footnote #5 shall be 15,000.0 m <sup>2</sup>
dd.	Uses – Footnotes, Table 8-2	The uses subject to this notation are not permitted abutting a freight rail facility	Footnote #6 shall not apply

Additional zoning exceptions may be identified through the detailed review of the Applications and will be considered in a technical report to a future Committee of the Whole meeting.

**ATTACHMENT NO. 10**

**CONDITIONS OF APPROVAL**

**DRAFT PLAN OF SUBDIVISION FILE 19T-22V002 (THE 'PLAN')  
AVENUE 7 DEVELOPMENTS LTD. (THE 'OWNER')  
2267 HIGHWAY 7 AND 7700 KEELE STREET  
PART OF LOTS 5 & 6, CONCESSION 4 (THE 'LANDS')  
CITY OF VAUGHAN (THE 'CITY')**

**THE CONDITIONS OF THE COUNCIL OF THE CITY THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION FILE 19T-22V002 ARE AS FOLLOWS:**

The Owner shall satisfy the following Conditions of Approval:

1. The Conditions of Approval of the City of Vaughan as set out in Attachment No. 10 a).
2. The Conditions of Approval of York Region as set out in Attachment No. 10 b) and dated November 29, 2023.
3. The Conditions of Approval of the Toronto and Region Conservation Authority as set out in Attachment No. 10 c) and dated April 1, 2024.
4. The Conditions of Approval of Alectra Utilities Corporation as set out in Attachment No. 10 d) and dated May 11, 2020.
5. The Conditions of Approval of Bell Canada as set out in Attachment No. 10 e) and dated July 7, 2022.
6. The Conditions of Approval of Enbridge Gas Inc. as set out in Attachment No. 10 f) and dated July 7 2022.
7. The Conditions of Approval of Canada Post as set out in Attachment No. 10 g) and dated July 6, 2022.
8. The Conditions of Approval of the CN Railway as set out in Attachment No.10 h) and dated April 29, 2024

## Clearances

1. The City shall advise in writing that Conditions in Attachment No. 10 a) have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
2. York Region shall advise in writing that the Conditions in Attachment No. 10 b) have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
3. The Toronto and Region Conservation Authority shall advise in writing that the Conditions in Attachment No. 10 c) have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
4. Alectra Utilities Corporation shall advise in writing that the Conditions in Attachment No. 10 d) have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
5. Bell Canada shall advise in writing that the Conditions in Attachment No. 10 e) have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
6. Enbridge Gas Inc. shall advise in writing that the Conditions in Attachment No. 10 f) have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
7. Canada Post shall advise in writing that the Conditions in Attachment No. 10 g) have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
8. CN Rail shall advise in writing that the Conditions in Attachment No. 10 h) have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.

**ATTACHMENT No. 10 a)**

**CITY OF VAUGHAN CONDITIONS:**

Development Planning Department conditions:

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by KLM Planning Partners Inc, dated November 29, 2023 (the 'Plan') relating to City File No. 19T-22V002.
2. If approval of the Plan is not given within 3 years after the date upon which approval of Draft Plan of Subdivision File No. 19T-22V002 was given, then the draft plan approval shall lapse unless the Owner applies to the City for an extension and approval is granted for said extension prior to the lapsing date.
3. The lands within this Plan shall be appropriately zoned by a Zoning By-law, which has come into effect in accordance with the provisions of the *Planning Act*.
4. The Owner shall provide the final georeferenced AutoCAD drawings of the plan of subdivision, the associated Excel translation files and individually layered pdfs for all drawings to the satisfaction of the GIS section of the Development Planning Department. If the files meet requirements, an email from [gisplanning@vaughan.ca](mailto:gisplanning@vaughan.ca) confirming the final submission has been approved will be provided.
5. The Owner shall pay any and all outstanding application fees to the Development Planning and Development Engineering Departments, in accordance with the in effect Tariff of Fees By-law.
6. The Owner shall pay any and all outstanding street numbering fees in accordance with the in-effect Fees and Charges By-law.
7. The Plan shall be updated to include the approved street names to the satisfaction of the Development Planning Department.
8. The Owner shall enter into a Subdivision Agreement, or other agreement satisfactory to the City, with the City to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including payments of development levies, the provisions of roads and municipal services, landscaping, and fencing. The said agreement shall be registered against the lands to which it applies.
9. The Owner shall agree in the Subdivision Agreement that all development shall proceed in accordance with the City's Sustainability Metrics program. The program shall present a set of metrics to quantify the sustainability performance of new development projects.

10. The Owner acknowledges and agrees that the draft plan of subdivision and associated conditions of draft approval may require revisions, to the satisfaction of the City, to implement or integrate any recommendations resulting from studies or submissions required as a condition of draft approval.
11. Prior to the execution of the Subdivision Agreement, the Owner will be required to enter into a Tree Protection Agreement with the City.
12. The Owner agrees that should previously undocumented archaeological resources be found on the property during construction activities, the Owner must immediately cease all construction activities and notify the Ministry of Citizenship and Multiculturalism (or its successor), and the Development Planning Department, Urban Design and Cultural Heritage Division at the City.

If human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner, the Registrar of the Cemeteries at the Bereavement Authority of Ontario (BAO) and the City's Development Planning Department, Urban Design and Cultural Heritage Division.

Urban Design Conditions:

13. Prior to final approval, the owner shall prepare urban design guidelines. The document must articulate how the design and concept is consistent with the performance standards outlined in the Vaughan City-Wide Urban Design Guidelines and Vaughan City-Wide Official Plan (VOP 2010) Urban Design Policies.
14. The Owner agrees to provide an art feature on the facade or an artistically designed elevation for the buildings with above-grade parking within the podium along Highway 7 subject to the review and approval by Urban Design staff during the future site plan application stage.
15. Prior to final approval, the Owner shall prepare a Phasing Plan clearly demonstrating the limits of each phase below and above ground to the satisfaction of the City.
16. Prior to the final approval of the Subdivision Plan, the owner shall prepare a Landscape Master Plan. The Plan shall address but not be limited to the following issues:
  - a. Fencing treatments, street tree planting, park land, vista lands, POPS, and open space lands;
  - b. The appropriate edge treatment along Highway 7; including the appropriate landscaping/Streetscaping.
  - c. The appropriate edge treatment along Keele Street; in accordance with Concord West Urban Design Framework and Streetscape Plan
  - d. The appropriate buffer edge treatment along the west and south property lines;

- including the appropriate landscaping with low maintenance plant material.
  - e. The pedestrian urban connections between streets, built forms, park lands, POPS, vista lands, etc.
  - f. Sustainability design practices/guidelines
- 17. Components of the Keele Street streetscape urbanization are included in the 2018 Development Charges By-Law 083-2018 as required to service growth within the Concord Secondary Plan Area. In accordance with this Section, the Owner may be entitled to a Development Charge reimbursement for a portion of its costs related to the design and construction of the Keele Street Streetscape Works when funds for the Keele Street Streetscape Works are available and included in an approved capital project.
- 18. Prior to the landscape plan review by Urban Design staff, a fee shall be provided by the owner to the Development Planning Department in accordance with recent council approved fee by-laws (commencing January 1, 2024); i.e. Tariff of Fees for Vaughan Planning Applications – Landscape Plan Review.
  - a. This fee will include staff's review and approval of proposed streetscaping/landscaping within the development (including but not limited to urban design guidelines, landscape master plan, architectural design guidelines, perfect submission landscape architectural drawings, stormwater management pond planting plans, natural feature edge restoration/management plans), and tree inventory/preservation/removals plans.
  - b. In addition, a fee will be applied for each subsequent inspection for the start of the guaranteed maintenance period and assumption of the development by the City of Vaughan.
- 19. The Owner shall design and construct the streetscape along the roads Street N-S and Street E-W in accordance with City standards, the "City-wide Streetscape Implementation Manual" and "Vaughan Complete Streets Guide" to the satisfaction of the City.
- 20. When the construction of the Streetscape Works has been substantially completed to the satisfaction of the City, the Owner shall provide the City with the following information:
  - a. a certification from a registered consulting engineer and a registered landscape architect that confirms the Streetscape Works have been constructed in accordance with the approved Construction Drawings, City standards and specifications, sound engineering practices, and the Streetscape Guidelines
  - b. a complete set of "As-Constructed" Construction Drawings, in PDF and Georeferenced CAD format, for the Streetscape Works, to the satisfaction of the City
  - c. copies of all final executed construction contracts, approved contract extras and change orders related to the construction of the Streetscape Works, to the



- satisfaction of the City
- d. copies of all quality assurance test results, supplementary geotechnical reports and construction related reports.
21. Prior to the final approval of the Subdivision Plan, the Owner shall prepare detailed streetscape drawings as part of the subdivision plan drawing package, to the satisfaction of the City. Revised streetscape cost estimates shall be submitted to the satisfaction of the City. Securities will be taken based on the full cost of the works.
  22. Prior to final approval of the Plan, the Owner shall submit an analysis of tree soil volumes demonstrating that each tree planted has met the minimum requirement of 20 m<sup>3</sup> of growing medium in a shared tree pit or 30 m<sup>3</sup> of growing medium in a stand-alone tree pit to encourage the growth of large caliper shade trees, to the satisfaction of the City.
  23. Prior to final approval, the owner shall provide a detailed tree preservation study to the satisfaction of the City. The study shall include an inventory of all existing trees, assessment of significant trees to be preserved and proposed methods of tree preservation based on the arborist report recommendations.
    - a) In addition, the study shall quantify the value of the tree replacements using the Urban Design Tree Replacement Valuation outlined in the City's Tree Protection Protocol.
    - b) The owner shall not remove trees without written approval by the City.
    - c) The owner shall enter into a tree protection agreement in accordance with City Council enacted Tree By-Law 052-2018, which will form a condition of the draft plan approval.
  24. Prior to registration, the Owner is required to enter into a "Tree Protection Agreement" which includes a security for trees to be preserved and protected in accordance with the approved Tree Preservation Study. The value of the security associated with the City's Tree Protection Agreement is determined through the following:
    - a. Tree compensation formula provided in the Arborist Report based on the City Tree Replacement Requirement.
    - b. The costs associated with tree protection measures (i.e. tree protection fencing, silt barriers etc.)
    - c. The costs associated with actual tree removals.
  25. Prior to final approval, the owner shall agree in the subdivision agreement that all development shall proceed in accordance with the City of Vaughan Sustainability Metrics program. The program shall present a set of metrics to quantify the sustainability performance of new development projects.
  26. The warning clause council approved September 29th, 1997 with respect to "Tree Fees" shall be included in the subdivision agreement:
    - a. "Purchasers are advised that the planting of trees on City boulevards in front of

residential units is a requirement of the subdivision agreement. A drawing depicting the conceptual location for boulevard trees is included as a schedule in this subdivision agreement. This is a conceptual plan only and while every attempt will be made to plant trees as shown, the City reserves the right to relocate or delete any boulevard tree without further notice.”

- b. “The City has not imposed an amount of a ‘Tree Fee’ or any other fee which may be charged as a condition of purchase for the planting of trees. Any ‘Tree Fee’ paid by the purchasers for boulevard trees does not guarantee that a tree will be planted on the boulevard in front or on the side of a residential dwelling.”

Policy Planning and Special Programs Department condition:

27. The Owner shall agree in the Subdivision Agreement that the City has Species at Risk within its jurisdiction which are protected under the *Endangered Species Act, 2007*, S.O.2007. The Owner is required to comply with Ministry of Environment, Conservation and Parks regulations and guidelines to protect these species at risk and their habitat. The Owner acknowledges that, notwithstanding any approvals made or provided by the City in respect to the Plan Agreement, they must comply with the provisions of the Act.

Development Engineering Department conditions:

28. The Owner shall 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 payments of development levies, the provisions of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.

29. Any dead ends or open sides of road allowances created by this draft plan of subdivision shall be terminated in 0.3 metre reserves, to be conveyed to the City without monetary consideration and free of all encumbrances, to be held by the City until required for future road allowances or development of adjacent lands.

30. The Owner shall agree in the subdivision agreement that construction access shall be provided only in a location approved by the City and the Region of York.

31. Prior to final approval of the Plan, the Owner shall provide easements and land dedication as may be required for access, utility servicing, drainage, construction purposes, or other municipal requirements shall be granted to the appropriate authority(ies), to their satisfaction free of all charge and encumbrance.

32. Prior to final approval, a geotechnical report prepared at the Owner's expense shall be submitted to the City for review and approval. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations including pavement design structure for ideal and non-ideal conditions to the

satisfaction of the City.

33. The Owner shall agree in the subdivision agreement to ensure that the grading at the boundaries of the Plan match with the grading for the surrounding lands and working easements to be obtained.
34. Prior to the initiation of grading, and prior to the registration of this draft plan of subdivision or any phase thereof, the owner shall submit to the City for review and approval the following:
35. A detailed engineering report that describes the storm drainage system for the proposed development within this draft plan, which report shall include:
  - a) plans illustrating how this drainage system will tie into surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, how external flows will be accommodated, and the design capacity of the receiving system;
  - b) the location and description of all outlets and other facilities;
  - c) storm water management techniques which may be required to control minor and major flows; and
  - d) proposed methods of controlling or minimizing erosion and siltation onsite and in downstream areas during and after construction.
36. Prior to final approval of the Plan or any phase thereof, the Owner may be required to revise or update the technical reports related to the development where such reports may not reflect existing conditions or where they no longer meet City Standards. Such reports may include Stormwater Management, Traffic Impact Study, Hydrogeological Study and Noise Study.
37. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations set out in any and all of the aforementioned reports to the satisfaction of the City.
38. The Owner shall agree in the subdivision agreement that no building permits will be applied for or issued until the City is satisfied that adequate road access, municipal water supply, sanitary sewers, and storm drainage facilities are available to service the proposed development.
39. Prior to final approval of the Plan, the Owner shall design and construct, at no cost to the City, any external municipal services, temporary and/or permanent built or proposed, that have been designed and oversized to accommodate the development of the Plan.

40. Prior to final approval of the Plan, the Owner shall make the necessary arrangements at the expense of the Owner for the relocation of any utilities required by the development of the Plan to the satisfaction of the City.
41. The Owner shall agree in the subdivision agreement to design, purchase material and install a streetlighting system in the Plan in accordance with City Standards and specifications. This Plan shall be provided with decorative streetlighting to the satisfaction of the City.
42. The Owner shall agree that all lots or blocks to be left vacant shall be graded, seeded, maintained and signed to prohibit dumping and trespassing.
43. The Owner shall agree in the subdivision agreement to maintain adequate chlorine residuals in the watermains within the Plan after successful testing and connection to the potable municipal water system and continue until such time as determined by the City or until assumption of the Plan. In order to maintain adequate chlorine residuals, the Owner will be required to retain a licensed water operator to flush the water system and sample for chlorine residuals on a regular basis determined by the City. The Owner shall be responsible for the costs associated with these activities including the metered consumption of water used in the program.
44. The Owner shall cause the following warning clauses to be included in a schedule to all offers of purchase and sale, or lease for all lots/blocks within the entire Plan:
- (b) "Purchasers and/or tenants are advised that proper grading of all lots in conformity with the Subdivision Grading Plans is a requirement of this subdivision agreement.
- security to ensure all municipal services including, but not limited to lot grading, are constructed to the satisfaction of the City. Direct cash deposit from the Purchasers to the City and/or Owner, for lot grading purposes, is NOT a requirement of this subdivision agreement. The City of Vaughan does not control the return of such deposits and purchasers/tenants must direct inquiries regarding this return to their vendor/landlord."
- (c) "Purchasers and/or tenants are hereby put on notice that the Telecommunications Act and the CRTC authorize telephone and telecommunication facilities and services to be provided by telecommunication carriers other than traditional carriers for such services and that purchasers and tenants are advised to satisfy themselves that such carriers servicing the lands provide sufficient service and facilities to meet their needs."
- (d) "Purchasers and/or tenants are advised that driveway widths and curb cut widths are governed by City of Vaughan By-Law 1-88, as amended, as follows:

- a) The maximum width of a driveway shall be 6 metres measured at the street curb, provided circular driveways shall have a maximum combined width of 9 metres measured at the street curb.
- (e) “Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox as per requirements dictated by Canada Post. The location of the mailbox shall be shown on the community plan provided by the Owner in its Sales Office.”
- (f) “Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, including from construction activities, may be of concern and occasionally interfere with some activities of the building occupants.”
- (g) “Purchasers and/or tenants are advised that fencing and/or noise attenuation features along the lot lines of lots and blocks abutting public lands, including public highway, laneway, walkway or other similar public space, is a requirement of this subdivision agreement and that all required fencing and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3m reserve, as shown on the Construction Drawings.
- (h) “The City has taken a Letter of Credit from the Owner for security to ensure all fencing including, but not limited to privacy fencing, chain link fencing and acoustic fencing, are constructed to the satisfaction of the City. Direct cash deposit from the Purchasers to the City and/or Owner, for fencing, is not a requirement of this subdivision agreement.”
- (i) “Purchasers and/or tenants are advised that fencing along the lot lines of Lots and Blocks abutting public lands is a requirement of this subdivision agreement and that all required fencing, noise attenuation feature and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3 metre reserve, as shown on the Construction Drawings.

The City has taken a Letter of Credit from the Owner (Subdivision Developer) for the security to ensure all fencing including, but not limited to privacy fencing, chain link fencing and acoustic fencing, are constructed to the satisfaction of the City. Direct cash deposit from the Purchasers to the City and/or Owner, for fencing, is NOT a requirement of this subdivision agreement.

The maintenance of the noise attenuation feature or fencing shall not be the responsibility of the City, or the Region of York and shall be maintained by the Owner until assumption of the services of the Plan. Thereafter the maintenance of the noise attenuation feature or fencing shall be the sole

responsibility of the lot owner. Landscaping provided on Regional Road right-of-ways by the Owner or the City for aesthetic purposes shall be approved by the Region and maintained by the City with the exception of the usual grass maintenance.”

- (j) “Purchasers and/or tenants are advised that this plan of subdivision is designed to include catchbasins. The catchbasin is designed to receive and carry only clean stormwater. It is the tenant’s responsibility to maintain the rear lot catchbasin in proper working condition by ensuring that the grate is kept clear of ice, leaves and other debris that would prevent stormwater from entering the catchbasin. The catchbasins are shown on the Construction Drawings and the location is subject to change without notice.”
- (k) “Purchasers and/or tenants are advised that the Owner (Subdivision Developer) has made a contribution towards recycling containers for each unit as a requirement of this subdivision agreement. The City has taken this contribution from the Owner to off-set the cost for the recycling containers, therefore, direct cash deposit from the Purchasers to the Owner for recycling containers purposes is not a requirement of the City of Vaughan. The intent of this initiative is to encourage the home Purchasers to participate in the City’s waste diversion programs and obtain their recycling containers from the Joint Operation Centre (JOC), 2800 Rutherford Road, Vaughan, Ontario, L4K 2N9, (905) 832-8562; the JOC is located on the north side of Rutherford Road just west of Melville Avenue.”

45. That the Owner undertake the following to the satisfaction of the City:

- a. Provide notice to prospective purchasers in agreements of purchase and sale that the dwellings are located in a Class 4 Area and that agreements respecting noise mitigation may exist, and if so, to be registered on title;
- b. Registration of warning clauses on title to the satisfaction of the City; and
- c. Submission of a copy of the registered plan of survey (i.e. R-Plan) showing the boundaries of the lands used for the designation of the Class 4 Area, to the satisfaction of the City

46. Any additional warning clause as noted in the subdivision agreement shall be included in all Offers of Purchase and Sale or Lease for all Lots and/or Blocks within the Plan to the satisfaction of the City.

47. The Owner shall agree in the subdivision agreement to convey any lands and/or easements, free of all costs and encumbrances, to the City that are necessary to construct the municipal services for the Plan, which may include any required easements and/or additional lands within and/or external to the draft plan, to the satisfaction of the City.



48. The Owner contributes their share of the cost of infrastructure works and/or undertakes the necessary improvement works and enters into a Development Agreement (if required) with the City, for the works associated with implementing the municipal servicing improvements for the ultimate build-out of the ultimate condition. The Owner's contributions are to be based on the conclusions and recommendations of the on-going Integrated Urban Water Master Plan Environmental Assessment and latest Functional Servicing Strategy Report, as required to the satisfaction of the City.
49. The Owner shall front-end finance and implement or contribute to required infrastructure improvements based on the conclusions and recommendations of the City's Integrated Urban Water Master Plan Class EA, specifically the Concord Go Centre / MTSA Functional Servicing Strategy Report, as appropriate and to the satisfaction of the City.
50. Prior to final approval of the Plan, the Owner shall coordinate any telephone or telecommunications service provider to locate its plant in a common trench on future Street(s) to service the proposed Development Block(s) prior to release of the plan for registration, provided such service provider has executed a Municipal Access Agreement with the City. The Owner shall ensure that any such service provider will be able to install its plant so as to permit connection to individual units within the subdivision, at no cost to the City.
51. The Owner shall agree in the subdivision agreement to design and construct at no cost to the City all applicable external municipal infrastructure required that are necessary to benefit the Plan to the satisfaction of the City.
52. The Owner shall agree in the Subdivision Agreement with the City to pay its financial contribution towards any Special Area Charges related to implementation of the interim and ultimate servicing strategies identified through the Master Environmental Servicing Plan and/or the current Functional Servicing Report to service the Subject Lands.
53. Prior to final approval of the Plan, the Owner shall ensure all necessary approvals to facilitate the road network in accordance with the Traffic Impact Study (TIS), to the satisfaction of the City. The traffic study is to analyze proposed road network and its impact to existing roadways that are also subject to approval by the Region of York.
54. Prior to final approval of the Plan, the Owner shall retain the services of a qualified Transportation Consultant to provide an updated transportation report/plan outlining the required Regional and City road improvements. The report/plan submitted to the City and Region for review and approval, shall demonstrate that adequate road capacity is available for the proposed development, and shall explain all transportation issues and recommend mitigative measures for these issues. An updated transportation report shall include a traffic management/roadway detour plan for the proposed roadway improvements. The Owner shall agree in the subdivision agreement to implement the recommendations of the updated transportation

report/Plan and TMP, to the satisfaction of the City.

55. Prior to final approval of the Plan, the Owner shall conduct comprehensive storm sewer study including, but not limited to, conveyance capacity analysis of proposed sewers, downstream storm sewer design sheets, hydraulic grade line analysis and related design drawings to demonstrate that the subject lands can be adequately serviced as proposed and conform to the City's comments on the sewer design. The stormwater analysis shall be completed to the satisfaction of the City as these lands are proposed to be serviced by an underground storage tank within the park lands. The Owner shall agree in the subdivision agreement to design and construct, at no cost to the City, all applicable works that are necessary to service the proposed lands to the satisfaction of the City. The Owner shall agree to provide a financial security or direct financial contribution for operation and maintenance considerations for the proposed municipal Oil Grit Separators and Underground Storm Water Management Tank proposed to service the development to the City.
56. The Owner shall include following warning clause for all purchasers and/or tenants within the Plan:
- a) abutting or in proximity of any parkland or walkway:
    - "Purchasers and/or tenants are advised that the lot abuts a "Neighbourhood Park" of which noise and lighting may be of concern due to the nature of the park for active recreation."
57. Prior to final approval of the Plan and/or commencement of construction within the Plan, the Owner shall submit detailed engineering design plans for the proposed roads within and external to the Subject Lands including, but not limited to, the intersection design with existing municipal and Regional roads, lane widths, lane configurations, curb radii, turning lanes with storage/ taper length, retaining wall details and sidewalk details to the satisfaction of the City and Region.
58. Prior to final approval of the Plan, the Owner shall submit an environmental noise and/or vibration report to the City for review and approval. The preparation of the noise/vibration report shall include the ultimate traffic volumes associated with the surrounding road network and railway to according to the Ministry of Environment Guidelines. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations set out in the approved noise/vibration report to the satisfaction of the City.
59. Prior to final approval of the Plan, the Owner shall obtain confirmation from the City and Region of York that adequate water supply and sewage treatment capacity are available and have been allocated to accommodate the proposed development.
60. Prior to initiation of grading or stripping of topsoil and prior to final approval of the Plan, the Owner shall prepare and implement a detailed erosion and sedimentation



control plan(s) addressing all phases of the construction of the municipal services and house building program including stabilization methods, topsoil storage locations and control measures to the satisfaction of the City. The Owner shall prepare the erosion and sediment control plan(s) for each stage of construction (pre-stripping/earthworks, pre-servicing, post-servicing) in accordance with the TRCA Erosion and Sediment Control Guidelines for Urban Construction, dated December 2006 and implement a monitoring and reporting program to the satisfaction of the City.

61. The Owner shall agree in the subdivision agreement to decommission any existing wells and driveways on the Plan in accordance with all applicable provincial legislation and guidelines and to the satisfaction the City.
62. The Owner shall provide a one-time cost contribution in present value for non-conventional stormwater management infrastructure to compensate for any increase in costs when compared to conventional stormwater management infrastructure, based on operation, maintenance, rehabilitation, and replacement costs as necessary to the satisfaction of Development Engineering.
63. The Owner shall submit an updated Transportation Impact Study (TIS), to the satisfaction of the City. The updated TIS is to address all outstanding City comments and to analyze the proposed road network and its impact to existing roadways that are also subject to approval by the Region of York, to the satisfaction of the City.
64. The Owner shall provide updated functional design drawings followed by detailed engineering drawings of New Street 1 and New Street 2, their intersections with Keele Street and Highway 7 and any affected access' to the satisfaction of the City.
65. The Owner shall provide evidence that the Owner of the subject lands and the neighboring landowner at 7622 Keele Street have entered into an agreement regarding relocating the existing access to 7622 Keele Street to the collector road proposed on the Draft Plan of Subdivision labelled New Street 2, to the satisfaction of the City.
66. The Owner shall obtain, as applicable, all necessary approvals/permits from Regional Municipality of York and to their sole satisfaction, as the Subject Lands and external improvements are regulated by the respective agency.
67. The Owner shall agree within the subdivision agreement that New Street 1 and New Street 2 shall be constructed within Phase 1 of the development, including but not limited to roadways, curbs, sidewalks, municipal services, and street lighting, in accordance with the approved subdivision plan and engineering drawings.
68. Prior to final approval of the Plan, the Owner shall address and satisfy all comments supplied by the Development Engineering Department, to the satisfaction of the City.

Real Estate Department conditions:

69. For high-density residential development, the Owner shall, prior to the issuance of a Building Permit, convey land at the rate of 1 ha per 600 net residential units and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at the rate of 1 ha per 1000 net residential units, or at a fixed unit rate, at Vaughan's discretion, in accordance with the Planning Act and the City of Vaughan Parkland Dedication By-law. Notwithstanding the above, such parkland contribution—whether in the form of parkland conveyance or cash-in-lieu as determined by the City—shall be subject to a cap of (i) 10% of the Lands or value of the Lands if the Lands are 5 ha or less; or (ii) 15% of the Lands or value of the Lands if the Lands are greater than 5 ha.”
70. Prior to the issuance of a Building Permit, the Owner shall pay to the City of Vaughan by way of certified cheque a community benefits charge equivalent to 4% of the value of the subject lands in accordance with Section 37 of the *Planning Act* and the City's Community Benefits Charge By-law. The Owner shall submit an appraisal of the subject lands, pursuant to City's Community Benefits Charge By-law, prepared by an accredited appraiser for approval by the Vaughan Real Estate Department, and the approved appraisal shall form the basis of the calculation of the community benefits charge payment.

Parks Infrastructure Planning conditions:

71. Prior to registration, the Owner shall convey Block 2 to the City free and clear of all charges encumbrances with exception of the public underground storm water tank, if required by the City, to the City's satisfaction. The total area of the Park Block 2 shall be approximately 0.56 Ha and centrally located abutting the south public road of the development site for park development.
72. To meet dedication requirements under the Planning Act, the Vaughan Official Plan (VOP) 2010 (Section 7.3.3 Parkland Dedication) and in-effect parkland dedication by-law and amendments, payment-in-lieu of parkland may be applicable, discounting any public parkland dedicated to the City. Real Estate Services staff shall review and provide comments as required;
73. Ensure the park design, location, typology, and size conforms to and be consistent with the Vaughan Official Plan (VOP 2010) Section 7.3.2 Parks and Open Space Design and to the Active Together Master Plan (ATMP);
74. All parkland conveyed to the City shall be conveyed in a physical condition satisfactory to the City and in accordance with the policies, practices, and guidelines of the City.
75. The Owner shall, at its sole cost and expense, complete the following to the satisfaction of the City; Proposed public park block(s) grading must not negatively

impact adjacent properties with overland flow routes. The public park block(s) cannot be encumbered by overland flow routes from adjacent properties.

76. The public park block(s) shall not be encumbered by any easements for utility services, transformer boxes, temporary or permanent building structural elements, building overhangs, Canada Post mailboxes and/or access, buffers, railway and pipeline safety buffers and zones, Natural Heritage Network core features and associated buffers, with the exception of cross easements for servicing, utilities, maintenance and access, unless otherwise agreed to between the parties.
77. A storm water management brief and grading plan for all required stormwater services is required to ensure that proposed grading works have been designed to accommodate stormwater flows in accordance with the Engineering Department Design Manual at interim and final phases of the public park block(s) development to the satisfaction of the City.
78. A Facility Fit Plan to the City's standard level of service shall be prepared and include the following information:
  - a) Provide boundaries of any proposed parkland dedication and the total size of individual blocks;
  - b) Layout plan illustrating the proposed park program requirements and level of service to meet the projected population and demographics, per the recommendations of the 2018 ATMP, or its successor document. Locations of park facilities should be informed by submitted Pedestrian Level Wind and Sun/Shadow studies. The park facilities shall have a comfortable microclimate, including maximizing sunlight access and wind conditions suitable for the intended use (the location, orientation, and layout of elements);
  - c) Dimensions of park facilities, separation distance between park facilities, and setbacks to property lines;
  - d) Identify ground floor programming and show the interface between the public park and the private development to ensure consideration for the built form and entry/exit locations, compatibility of adjacent uses, pedestrian and bicycle circulation, connections, and desire lines;
  - e) Provide existing and proposed grading, surface drainage patterns and sub-surface stormwater (SWM) servicing requirements (show any proposed SWM infrastructure, including maintenance and monitoring ports and required maintenance access, and sections illustrating the depth of cover);
  - f) Coordinate with the servicing plans, showing at grade (CB, light standards, telecommunications/transformer box location), underground (servicing lines), and above ground infrastructure utilities (hydro lines);
  - g) Show the limits of underground parking structure, if any;
  - h) Show any existing vegetation (species, age, size and condition of trees) to be preserved or removed and proposed plantings;
  - i) Provide a preliminary construction cost estimate (required for letter of credit to be included in the Subdivision Agreement or prior to final Site

Development Approval);

- j) The plans are to be completed by a registered Landscape Architect and are required to provide sufficient information to confirm facility and program requirements to the satisfaction of the City. Plan should be to scale and include a bar scale.

79. A geotechnical investigation and Phase 2 Environmental Site Assessment shall be conducted by a qualified Professional Engineer in accordance with O.Reg. 153/04 (as amended) assessing all public park block(s) in the Plan for conformity with the applicable MOECC Site Condition Standards for parkland use to the satisfaction of the City. A minimum of number of boreholes to be determined at draft plan of subdivision or development agreement are required within the parks blocks. Boreholes are to be taken at regular intervals along the full length of the proposed public park block(s). Borehole reports will indicate soil type, water content, and density (general compaction). All samples are to be tested in a laboratory to determine their physical properties, including levels of various chemical elements and contaminants. Should additional fill be placed to meet required grading levels, the results of the Phase Two Investigation shall be supplemented with a letter report addressed to the City by the Owner's environmental consultant that includes: confirmation of the area where fill has been placed and details regarding dates, sources, volumes, and certification that the placed fill material meets the applicable MOECC Site Condition Standards referenced above and compacted to the standard referenced below.
80. Adequately sized servicing connections are required along the main public park frontage and shall include a water chamber manhole, complete with a curb stop, sanitary manhole and a storm water manhole. All structures are to be located a minimum of 5 meters from adjacent property lines.
81. The approved electrical distribution plan will include a 120/240 volt, single phase, three wire power supply to the public park block(s). The power supply drop will consist of a 3 conductor #3/0 aluminum underground cable drop located one metre from the street line and one metre from the property line inside the block(s). The cable feed will originate from the closest (within 75 metre cable length) single phase pad mounted transformer and will be left coiled and attached to a 2"x4" wood stake, visible above grade.
82. Public Park block(s) grading shall be completed using clean engineered fill compacted to 95% Standard Proctor Dry Density (SPDD) inclusive of any civil work required such as retaining structures, rip rap, swales, and the like to meet grading levels as determined by the City approved grading plan. The park block shall generally be graded to meet and match surrounding levels and allow for a minimum 2% and no greater than 5% gradient over 75% of the total block area.
83. No fill shall be placed on existing topsoil and the stockpiling of topsoil is prohibited on the public park block(s). Topsoil for fine grading shall be fertile and friable, natural loam soil with two percent (2%) minimum organic matter for sandy loams and four

percent (4%) minimum organic matter for clay loams. Acidity of topsoil shall range from 6.0pH to 7.5pH and shall be capable of sustaining vigorous plant growth. The owner shall complete all necessary chemical analysis and topsoil fertility tests by a qualified testing laboratory to the satisfaction of the City, and results of testing provided to the City for review and approval. Topsoil shall be placed to a minimum depth of 300mm over the entire public park block(s). Prior to placement of topsoil, the owner shall add all amendments as required to amend the existing soils to meet the recommendations of the fertility testing and demonstrate that these standards have been met.

84. All temporary sediment control management measures are to be removed prior to rough grading.
85. The public park block(s) shall be sodded, as approved by the City.
86. The Owner shall be responsible to maintain the public park block(s) until such time as the public park is assumed to the City. Maintenance shall entail maintaining sufficient grades to prevent standing water, cutting the grass/vegetation a minimum of twice summer, erosion repairs, cleaning of catch basins, and removal of any debris that is dumped on the site, to the satisfaction of the City.
87. Prior to the execution of the subdivision agreement, the Owner shall provide the City with Letter of Credit (LC) totaling the complete cost to construct the public parkland to base conditions as per Park Base Conditions and Requirements, based on the approved plans and cost estimate. The LC shall be held for the estimated construction costs for the proposed site works, which shall include but is not limited to all required grading, landscape restoration, additional fill to meet approved grades, risk of contamination, removal of existing infrastructure/structures, temporary drainage structures servicing, and fencing. The Owner is responsible for the total cost of the construction of parkland base as per Park Base Conditions and Requirements, including but not limited to any works of a temporary nature.
88. The conveyance of a public park with an underground Non-Conventional SWMF encroaching upon it shall be in accordance with *Parkland Dedication By-law 168-2022* and the City's current interim non-conventional stormwater infrastructure approval process led by the Development Engineering department which establishes a framework for the City to consider accepting public parkland where Non-Conventional SWMF's are proposed below grade, and the City's Engineering Design Criteria & Standard Drawings, subject to meeting certain conditions. In addition, the Owner shall acknowledge and agree to the following:
  - a) The Owner shall enter into a developer build agreement with the City requiring the Owner to provide securities and complete the design and construction of the public park to the Ultimate Condition, at its sole cost, in accordance with the City Developer Build Parks Policy, No. 07.2.05.;
  - b) The public park will be accepted as full parkland credit towards satisfying

parkland dedication, if the proposed underground non-conventional SWMF is designed to ensure that all existing City of Vaughan Park's Design Criteria for park grading, landscaping, drainage, servicing, programming, and facility requirements to the City's satisfaction are met. The City shall approve the area, depth of soils, configuration, facilities, access, and boundaries of the proposed park over the stormwater management facility;

- c) In addition to constructing and installing the underground non-conventional SWMF and public park to the Ultimate Condition, the Owner, at its sole cost and expense, shall construct and install the public park to an enhancement condition above and beyond the City's standard level of service for a neighbourhood park to the City's satisfaction. The enhancement condition is required in return for the loss of naturalized open space that would otherwise be provided to the community through a conventional stormwater management pond, and the City's loss of flexibility for programming of the park.
  - i. The enhancement condition may be comprised of:
    - High quality entry features and signage that ties in with the surrounding context;
    - High quality site furnishings, shade elements, games tables and pedestrian lighting; and/or
    - Urbanized playground equipment and safety surfacing.
  - ii. The Owner shall construct and install the enhancement condition at its sole cost and expense up to a maximum of \$150,000;
  - iii. The specifics of the enhancement condition will be determined in consultation with the City and to the City's sole discretion and satisfaction;
- d) Vertical and horizontal easements may be required adjacent to the public park (underground parking etc.) to allow public park related services such as storm water drainage, sub drainage, access or other required services and utilities;
- e) A copy of the park(s) master plan shall be posted in the sales pavilion. This master plan shall be signed by the City and indicate that it is a draft and is subject to change. Approval to open the sales pavilion shall be subject to approval of the park master plan;
- f) It is the intent of the City that development of the public park block(s) shall be coordinated with residential development in order to provide park facilities to the local residents in a timely manner, to the satisfaction of the City. Unless otherwise agreed upon with City staff, development and construction of the public parkland block shall commence by no later than twelve months from the issuance of first occupancy certificate of the first phase of development;
- g) Upon completion of the construction of the public park, the Owner shall provide record drawings sealed by the Engineer of Record and a certificate prepared by a qualified landscape architect to certify the works have been installed in accordance with the approved public park design and As-Built Drawings of the stormwater tank.

89. The Owner will be required to grant permanent easement(s) to the City over



privately-owned vehicular and pedestrian areas connecting to and surrounding proposed public park(s), POPS, and/or open spaces for the purposes of public access and/or maintenance. Exact limits and type of required easements are to be determined at the Site Development (Site Plan) application stage.

90. Prior to or upon conveyance of the Park Block to the City, the City and Owner shall enter into an Access Agreement for the Park Block. The Access Agreement shall include terms satisfactory to the Owner and the City respecting the granting of easements, licenses or other access rights as reasonably required to allow the Owner to complete construction of the park, associated structures and development of the Development Site, including, without limitation, rights for crane-swing, staging, installation of tie-backs and shoring, temporary storage, the erection of temporary hoarding and fencing, a temporary construction office, and such provisions (including indemnity) as may be reasonably required by the City to ensure that the lands are not damaged or contaminated by such activities and rights of access.
91. The following warning clauses are to be included in all Agreements of Purchase and Sale or Lease for the proposed development and specifically those blocks/units adjacent/abutting the municipal park where appropriate:
- a) "Purchasers and/or tenants are advised that the lot abuts a municipal park and that lighting and noise should be expected from the use of the park and/or pathway for recreation purposes."
  - b) "Purchasers and/or tenants are advised that any encroachments and/or dumping from the lot to the municipal park are prohibited."
  - c) "Purchasers and/or tenants are advised that the municipal park may not be fully developed at the time of occupancy. The timing of development, phasing and programming of parkland is at the discretion of the City."
  - d) In conjunction with the above, additional warning clauses may be provided when appropriate as conditions of Draft Plan approval.
92. The public park block shall be zoned "OS2" under Zoning By-law 1-88 or "OS1" under Zoning By-law 01-2021.

**Schedule of Clauses/Conditions**  
**SUBP.22.V.0022 (19T-22V002)**  
**2267 Highway 7 and 7700 Keele Street**  
**(Avenue 7 Developments Ltd.)**  
**City of Vaughan**

Re: KLM Planning Partners Inc., Project No. P-3036, dated November 29, 2023

**Clauses to be Included in the Subdivision Agreement**

1. The Owner shall save harmless the City of Vaughan and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
2. The Owner shall advise all potential purchasers of the existing and future introduction of transit services. The Owner/consultant is to contact YRT Contact Centre (tel. 1-866-668-3978) for route maps and the future plan maps.
3. The Owner shall provide direct shared pedestrian/cycling facilities and connections from the proposed development to boundary roadways to support active transportation and public transit, where appropriate.
4. The Owner shall implement all recommendations, including TDM measures, as recommended in the Transportation Impact Study, prepared by BA Group, dated June 2023, to the satisfaction of the Region.
5. The Owner shall agree that no development works will be undertaken on Blocks 1 and 2 without appropriate site plan and/or engineering approval from the Region.

**Conditions to be Satisfied Prior to Final Approval**

6. The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the City of Vaughan and York Region.
7. The Owner shall provide to the Region the following documentation to confirm that water and wastewater services are available to the subject development and have been allocated by the City of Vaughan:
  - a) A copy of the Council resolution confirming that the City of Vaughan has allocated servicing capacity, specifying the specific source of the capacity, to the development proposed within this draft plan, or any phase thereof, and



- b) A copy of an email confirmation by a City of Vaughan staff member stating that the allocation to the subject development remains valid at the time of the request for regional clearance of this condition.
8. The Owner shall provide an electronic set of the final engineering drawings showing the watermains and sewers for the proposed development to Development Services and Infrastructure Asset Management for record.
9. The Owner shall submit a Master Functional Servicing Report and Servicing Plan to the satisfaction of the City of Vaughan and York Region.
10. Rockview Gardens at the Keele Street intersection shall be restricted to right-in/right-out movements only. This shall be implemented at the same time as the installation of the new Keele Street signal. The Region will require written acknowledgement from the City of Vaughan in support of the development, which includes the need to restrict the Rockview Gardens access to right-in/right-out movements only.
11. The Owner shall provide a preliminary design and cost estimates to implement the northbound dual left-turn lanes for the Highway 7/Keele Street intersection. A full assessment shall be completed as the intersection needs to be built to Regional standards, which could include upgraded signal heads, signal controller cabinets as well as modifications to the median and other travel lanes on both sides of the roadway.
12. The Owner shall address all comments provided on the Transportation Impact Study, prepared by BA Group, dated June 2023, to the satisfaction of the Region.
13. Concurrent with the submission of the subdivision servicing application (MOE) to the area municipality, the Owner shall provide a set of engineering drawings, for any works to be constructed on or adjacent to the Regional road, to Development Engineering, Attention: Manager, Development Engineering, that includes the following drawings:
  - a) Transportation Impact Study,
  - b) Intersection civil and electrical designs for Street "1" at Highway 7 and Street "2" at Keele Street,
  - c) Pavement Marking Plans,
  - d) Tree Inventory Protection Plans,
  - e) Arborist Report,
  - f) Traffic Management Reports,
  - g) Plan and Profile of Street "1" and Street "2" showing proposed sewers and watermains and appurtenances, including manholes, watermains, valves, hydrants, etc.,
  - h) Erosion and Siltation Control Plans,
  - i) Sidewalk locations, concrete pedestrian access to existing and future transit services and transit stop locations as required by York Region Transit/Viva,

- j) Functional Servicing Report (water, sanitary and storm services),
  - k) Water supply and distribution report, and
  - l) Engineering drawings showing plan and profile views of proposed sewers and watermains and appurtenances, including manholes, watermains, valves, hydrants, etc. proposed within the subdivision.
14. The Owner shall provide written acknowledgement that the existing access onto Keele Street for the adjacent property to the south shall be removed, and a new connection from the southern property shall be created for the future east-west road so that it has direct access to the proposed new traffic signal onto Keele Street. The proposed development shall demonstrate that the location and the design of the connection can accommodate the largest truck size that currently using the site, to the satisfaction of the Region. It is the responsibility of the Owner to coordinate and work with the property to the south.
15. Upon registration of the plan, the Owner shall convey the following lands to York Region for public highway purposes, free of all costs and encumbrances, to the satisfaction of the Regional Solicitor:
- a) A widening across the full frontage of the site where it abuts Keele Street of sufficient width to provide a minimum of 21.5 metres from the centreline of construction of Keele Street,
  - b) Any additional widenings that may be required to maintain a minimum 10 metre by 10 metre daylight trapezoid at the intersection of Street "2" and Keele Street,
  - c) Any additional widenings that may be required to maintain a minimum 10 metre by 10 metre daylight trapezoid at the intersection of Street "1" and Highway 7, and
  - d) Any additional widenings that may be required to maintain a minimum 15 metre by 15 metre daylight triangle at the north-east corner of the site.
16. The Owner shall provide a solicitor's certificate of title in a form satisfactory to York Region Solicitor, at no cost to York Region with respect to the conveyance of the above noted lands to York Region.
17. The Region requires the Owner submit a Phase One Environmental Site Assessment ("ESA") in general accordance with the requirements of the *Environmental Protection Act* and O. Reg. 153/04 Records of Site Condition, as amended ("O. Reg. 153/04"). The Phase One ESA must be for the Owner's property that is the subject of the application and include the lands to be conveyed to the Region (the "Conveyance Lands"). The Phase One ESA cannot be more than two (2) years old at: (a) the date of submission to the Region; and (b) the date title to the Conveyance Lands is transferred to the Region. If the originally submitted Phase One ESA is or would be more than two (2) years old at the actual date title of the Conveyance Lands is transferred to the Region, the Phase One ESA will need to be either

updated or a new Phase One ESA submitted by the Owner. Any update or new Phase One ESA must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04. The Region, at its discretion, may require further study, investigation, assessment, delineation and preparation of reports to determine whether any action is required regardless of the findings or conclusions of the submitted Phase One ESA. The further study, investigation, assessment, delineation and subsequent reports or documentation must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04. Reliance on the Phase One ESA and any subsequent reports or documentation must be provided to the Region in the Region's standard format and/or contain terms and conditions satisfactory to the Region.

The Region requires a certified written statement from the Owner that, as of the date title to the Conveyance Lands is transferred to the Region: (i) there are no contaminants of concern, within the meaning of O. Reg. 153/04, which are present at, in, on, or under the property, or emanating or migrating from the property to the Conveyance Lands at levels that exceed the MOECC full depth site condition standards applicable to the property; (ii) no pollutant, waste of any nature, hazardous substance, toxic substance, dangerous goods, or other substance or material defined or regulated under applicable environmental laws is present at, in, on or under the Conveyance Lands; and (iii) there are no underground or aboveground tanks, related piping, equipment and appurtenances located at, in, on or under the Conveyance Lands.

The Owner shall be responsible for all costs associated with the preparation and delivery of the Phase One ESA, any subsequent environmental work, reports or other documentation, reliance and the Owner's certified written statement.

18. The Owner shall provide a copy of the Subdivision Agreement to the Regional Corporate Services Department, outlining all requirements of the Corporate Services Department.
19. For any applications (Site Plan or Zoning By-law Amendment) deemed complete after January 1, 2020, the Owner shall enter into a Development Charge Rate Freezing Agreement with York Region to freeze/lock in the Development Charge rate at the time the site plan application or Zoning By-law Amendment is deemed complete submission, satisfy all conditions, financial and otherwise, and confirm the date at which Regional development charge rates are frozen; Regional Development Charges are payable in accordance with Regional Development Charges By-law in effect at the time that Regional development charges, or any part thereof, are payable. Please contact Fabrizio Filippazzo, Manager, Development Financing Administration to initiate a Development Charge Agreement with York Region.
20. The Regional Corporate Services Department shall advise that Conditions 1 to 19 inclusive, have been satisfied.



April 1, 2024

CFN 67377

**SENT BY E-MAIL (christina.ciccione@vaughan.ca)**

Christina Ciccone  
Senior Planner  
Development Planning Department  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, Ontario L6A 1T1

Dear Christina Ciccone:

**Re: 3<sup>rd</sup> Submission  
Draft Plan of Subdivision 19T-22V002  
Official Plan Amendment Application OP.22.008  
Zoning By-Law Amendment Application Z.22.015  
Part Lot 5, Concession 4  
2267 Highway 7 & 7700 Keele Street  
City of Vaughan  
Avenue 7 Developments Ltd. (Agent: KLM Planning Partners Inc.)**

Further to our previous letter dated August 4, 2023, this letter acknowledges receipt of a re-circulation for the above noted applications. A digital copy of the circulation was received by the Toronto and Region Conservation Authority (TRCA) on February 12, 2024. A list of the documents reviewed by TRCA can be found in Appendix 'A' of this letter.

### **Application Specific Comments**

Based on a review of the submission materials noted in Appendix 'A', detailed comments have been included in Appendix 'C' of this letter. The remaining outstanding comments are related to the stormwater management strategy. It is the expectation of TRCA that the noted comments will be addressed as a part of the detailed design/permit process for the project.

### **Recommendations**

TRCA staff have no objection to the approval of Draft Plan of Subdivision 19T-22V002, Official Plan Amendment OP.22.008 and Zoning By-Law Amendment Z.22.015, subject to the conditions listed in Appendix 'B'.

Please provide the Notice of Decision for both the Draft Plan of Subdivision, Zoning By-Law and Official Plan Amendment once they are approved.

We trust these comments are of assistance. Should you have any questions, please contact me at extension 5743 or at [stephen.bohan@trca.ca](mailto:stephen.bohan@trca.ca).

Sincerely,

A handwritten signature in black ink that reads "Stephen Bohan". The signature is written in a cursive style with a large initial 'S'.

Stephen Bohan  
Senior Planner

Development Planning and Permits | Development and Engineering Services

## **Appendix 'A': Materials Reviewed by TRCA**

*The following materials were received by TRCA on February 12, 2024*

- *Response Matrix – Second Submission, prepared by Proponent, dated February 5, 2024.*
- *Draft Zoning By-law Amendment, prepared by Proponent, dated February 2, 2024.*
- *Drawing No. – 23:4, Draft Plan of Subdivision, prepared by KLM Planning Partners Inc., dated November 29, 2023.*
- *Master Functional Servicing Report, prepared by Schaeffers Consulting Engineers, revised dated February 2024.*

## **Appendix 'B' – TRCA's Conditions of Draft Plan Approval**

### **TRCA's Conditions of Draft Plan Approval**

- TRCA staff have no objection to the approval of Drawing No. – 23:4, Draft Plan of Subdivision, prepared by KLM Planning Partners Inc., dated November 29, 2023, subject to the following conditions:

#### *Red-line Revisions*

1. That this draft plan of subdivision be subject to red-line revision(s) in order to meet the requirements of TRCA's conditions of draft plan approval, if necessary, to the satisfaction of TRCA.
2. Prior to the registration of the Plan of Subdivision, the Owner shall provide an M-Plan showing the lot/block lines and any required revisions to the satisfaction of the City of Vaughan and TRCA.

#### *Prior to Works Commencing*

3. That prior to any development or site alteration and prior to the registration of this plan or any phase thereof, the Owner shall submit a Functional Servicing Report (FSR) and detailed engineering reports (e.g., Stormwater Management, Site Level Water Balance) that describes in detail the applicable stormwater management criteria, how the proposed storm drainage system will be designed to meet stormwater management criteria, and how it will comply to TRCA requirements. These reports shall include, but not limited to:
  - i. A description of the storm drainage system and appropriate stormwater management techniques including minor and major flow controls for the proposed development of the subject land and how it will comply with all related TRCA requirements for quantity, water balance and erosion control.
  - ii. Plans illustrating how this drainage system will tie into surrounding drainage systems, i.e., identifying if it is part of an overall drainage scheme, how external flows will be accommodated, the design capacity of the receiving system.
  - iii. Appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to the natural heritage system, both aquatic and terrestrial.
  - iv. Detailed plans indicating location, orientation, size and description of all stormwater management features, including outlet structures, and all other proposed servicing facilities (e.g., infiltration trenches, etc.), grading, site alterations, development, and infrastructure, which are required to service or facilitate the development of the subject lands, which may require a permit pursuant to the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* (Ontario Regulation 166/06), as may be amended.
  - v. Design of flow dispersal measures and treatments associated with stormwater management outlets to reduce potential erosion, impacts to the natural system, and maximization of potential infiltration, to the satisfaction of the TRCA.

- vi. Detailed plans and calculations for the proposed lot-level, conveyance and end-of-pipe controls to be implemented on the site.
  - vii. The integration of Low Impact Development (LID) measures and the employment of source and conveyance controls to: mimic pre-development site hydrology, overall site water balance, and feature-based water balance to the satisfaction of the TRCA.
  - viii. A subsurface investigation (including assessment of groundwater levels) for the final design of foundations, site grading and stormwater management infrastructure. The recommendations of the subsurface assessment will be used to inform the final design and construction plans. All underground construction and infrastructure should be designed to not require permanent dewatering, and any potential impacts to the groundwater system that may result from the development must be assessed and mitigated.
  - ix. An evaluation that addresses the need for groundwater dewatering during construction, including but not limited to details for its disposal, potential impacts to natural features due to groundwater withdrawal, mitigation measures, and any permitting requirements.
  - x. Grading plans for the subject lands demonstrating that the site will be graded to achieve a 0.3 metre freeboard above the flood plain spill elevation as outlined in the modeling and accompanying report titled “Don River Tributary at Keele and Highway 7 – Coupled 1D-2D Model – Impact of Development for 7700 Keele” prepared by Schaeffer Consulting Engineers, dated November 24, 2023. The proponent will need to provide all modelling files to demonstrate that there will be no negative off-site impacts (i.e., causing increased flood depths, velocity) due to the development and the remediation works.
  - xi. An erosion and sediment control report and plans for the subject lands that includes proposed measures for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction.
4. That prior to the registration of this plan or any phase thereof, the Owner obtain all necessary permits from TRCA pursuant to the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* (Ontario Regulation 166/06), as may be amended, to the satisfaction of TRCA.

#### *Administrative*

5. That the Owner agrees in the subdivision agreement, in wording acceptable to TRCA which is standard, normal and consistent with applications and approvals for development of this kind:
- i. To carry out, or cause to be carried out, to the satisfaction of TRCA, the recommendations of the reports/strategies and details of the plans referenced in TRCA’s conditions of draft plan approval.
  - ii. To install and maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period, in a manner satisfactory to TRCA.



- iii. To obtain all necessary permits from TRCA pursuant to the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* (Ontario Regulation 166/06), as may be amended, to the satisfaction of TRCA.
  - iv. To comply with the permits approved under Ontario Regulation 166/06, as may be amended, including the approved plans, reports and conditions to the satisfaction of TRCA.
6. That the Owner provide a copy of the fully executed subdivision agreement and pay TRCA the required draft plan of subdivision planning review fees, clearances fees and permit fees (topsoil stripping, grading, servicing, etc.)

**Appendix 'C': Application Specific Comments**

	<b>TRCA Comments June 20, 2022</b>	<b>TRCA Comments August 4, 2023</b>	<b>April 1, 2024</b>
	<p>As noted above, TRCA staff have had extensive consultation with the proponent's engineering consultant related to the flood plain conditions on, and surrounding, the subject lands. Through discussions and review of preliminary analysis, it was agreed in principle that the site is being impacted be a Regional Storm flood plain spill area.</p> <p>A flood plain spill area is defined as an area where flood waters are not physically contained within the valley and stream corridor and exits to surrounding lands outside of the boundaries of TRCA's current modeling. Consequently, the limit and depth of flooding are difficult to determine. TRCA has specific policies related to the treatment of properties within a spill area and the potential for flood remediation/mitigation.</p> <p>For properties that are located within a flood plain spill area, it is TRCA's typical practice to require the proponent to retain a qualified water resource engineering consultant to undertake a site-specific hydraulic analysis to assess the characteristics of the flood hazard and develop a suitable strategy to demonstrate how the flood plain spill condition can be permanently remediated in such a way that there will be no increased flood impacts on adjacent lands.</p> <p>To continue review of the flood plain analysis component of this project, the following items will need to be addressed:</p>	<p>See Below Comments</p>	<p>Comment addressed per below.</p>
<p>1.</p>	<p>As previously discussed with TRCA staff and conveyed via email on May 16, 2022, the spill flow calculation line on the map will need to be provided to help TRCA confirm spill volume and provide the flood risk maps to confirm safe access. Furthermore, water surface elevation maps for existing and proposed conditions will need to be provided to help TRCA confirm no negative flood plain impacts to adjacent properties due to the proposed development.</p>	<p>As per the February 9, 2023, email with Alwish Gnanaraj, the MIKE Flood modelling needs to be updated to ensure adequate floodproofing for the site, safe access, and to confirm no negative impacts to adjacent properties.</p> <p>In the MIKE FLOOD model, the bathymetry of the proposed grades surrounding the subject site does not seem to match the proposed grades seen on the grading plan within the FSR (i.e., P241/241). Please review and revise accordingly and update the proposed model's bathymetry to be consistent with the proposed site.</p> <p>Please update the existing/proposed models to provide a coupled 1D/2D model (i.e., modelling the watercourse component as 1D, consistent with TRCA's currently approved model). Also, staff are unclear of the origin of the downstream boundary condition rating curve. As per the February 9, 2023, email with Alwish Gnanaraj, please update the downstream boundary conditions of the existing and proposed models to incorporate water surface elevations from TRCA's currently approved hydraulic model and increase the extents of the project to better capture the flood plain / flood spill in the area.</p> <p>As per the February 9, 2023, email with Alwish Gnanaraj, please update the existing and proposed models to be steady-state and to incorporate the peak flows from TRCA's currently approved hydraulic model.</p>	<p>This comment is considered addressed for this stage. TRCA received flood plain analysis materials (model &amp; report) that were prepared by Schaeffers Consulting Engineers, on November 25, 2023. TRCA reviewed the materials and provided confirmation, via email dated February 8, 2024, to Schaeffers Consulting Engineering, that the materials adequately addressed the outstanding flood plain spill area issue.</p> <p>A condition related to the required flood mitigation works (i.e., grading of the subject lands above the flood spill elevation) has been included in TRCA's draft plan conditions, as noted above in Appendix 'B'.</p>

**Appendix 'C': Application Specific Comments**

	TRCA Comments June 20, 2022	TRCA Comments August 4, 2023	April 1, 2024
		<p>The watercourse culverts in the existing and proposed models appear to differ (e.g., opening dimensions, shape, inverts, length, roughness, loss coefficients, etc.) from the culverts in TRCA's currently approved hydraulic model. Please update the existing and proposed models to incorporate culvert information from TRCA's currently approved hydraulic model or provide the associated field data related to these changes for review.</p> <p>For the production of flood maps please provide separate maps illustrating a) depth, b) water surface elevation, c) velocity, and d) risk. Each of these maps would be produced for each of the following conditions: existing, updated existing (as applicable), proposed (for each scenario), and comparison maps between the existing/updated existing condition and each of the proposed scenarios. For the preferred scenario, the maps, in conjunction with the report and modelling, should demonstrate adequate floodproofing for the site, safe access, and no negative impact to the Regional Storm flood plain.</p> <p>Please note that other modelling configurations are noted in the FSR's appendices (e.g., culvert improvements, etc.), but the associated digital modelling could not be found in the formal submission. Please note that technical staff have only provided comments on those configurations for which digital modelling has been provided.</p>	
2.	Furthermore, please provide the respective digital 2D models to help TRCA verify that there are no negative flood plain impacts to the adjacent properties.	To be addressed under Comment #1, see above.	Comment Addressed per comment 1 above.
3.	Please note that the site should be floodproofed to the Regional Storm flood plain elevation + 0.3 m vertical freeboard/buffer.	To be addressed under Comment #1, see above.	Comment Addressed per comment 1 above.
4.	Please provide the digital VO model for further review. TRCA may comment on the quantity control storage volume analysis after reviewing the digital VO model.	<p>Please provide additional background information on the existing site's SWM strategy and allowable peak flow rates for all storm events (i.e., 2, 5, 10, 25, 50, 100-year events). Please update Section 4.5 and Table 4-2 of the breakdown of the post-development allowable release rates to include all storm events (i.e., 2 to 100-year) and update the VO modelling accordingly.</p> <p>The FSR and VO model indicate that the 0.37ha and 0.34 ha adjacent to Highway 7 drain to the proposed park SWM facility, however sewers/catchbasins are not seen on the drawings for these areas. Please provide clarity if a proposed sewer connection is required or if the proposed flow is intended to drain across the proposed ROW, and revise figures/drawings as required.</p>	<p>Please provide the digital VO model for further review. TRCA may have further comments on the quantity control analysis after reviewing the digital VO model.</p> <p>For Section 4.5.2, please assess pre-development release rates within VO to provide consistent methodologies between pre-development and post-development conditions.</p> <p>Please confirm the duration of the AES storm events to be 12 hours, as the hardcopy of the VO modelling in Appendix E appears to suggest a roughly 8-hour duration.</p> <p>The FSR and VO model indicate that the 0.37ha and 0.34 ha adjacent to Highway 7 drain to the proposed park SWM facility, however sewers/catchbasins are not seen on the drawings for these areas. Please provide clarity if a proposed sewer connection is required or if the proposed flow is intended to drain across the proposed ROW, and revise figures/drawings as required.</p>

**Appendix 'C': Application Specific Comments**

	<b>TRCA Comments June 20, 2022</b>	<b>TRCA Comments August 4, 2023</b>	<b>April 1, 2024</b>
5.	Please provide more details such as approximate sizing and footprint (in the plan drawing) about the proposed control and detention storage structures for water quantity control to aid TRCA's evaluation of the feasibility of the proposal.	Comment addressed for this stage.	Comment addressed for this stage.
6.	Please provide more detail such as approximate sizing and footprint (in the plan drawing) on the proposed infiltration / onsite retention facilities to aid TRCA's evaluation of the feasibility of the proposal to meet 5 mm onsite retention criteria. At this stage, TRCA is only looking for approximate estimations of infiltration rate and groundwater level to ensure feasibility.	<p>Please provide the calculations for the 30mm extended detention noted for the park block related to p 93/241 of the FSR.</p> <p>Drawings show outfall invert of park storage at 199.33masl. Please demonstrate that the retention storage volume below this elevation is sufficient to provide retention of the 5mm event.</p> <p>Water balance demand calculations (i.e., irrigation, reuse, etc.) for the retained water can be provided at detailed design.</p>	Comment addressed for this stage.
7.	Please be advised that TRCA Hydrogeology staff have feasibility concerns regarding the third level of the underground parking structure. TRCA generally does not support active permanent dewatering (e.g., sumps in underfloor drainage system) of the Oak Ridges Aquifer Complex. Dewatering estimates utilized an assumed static water level of 199.2 masl (1 m higher than observed level at MW101-21 March 2022). However, geotechnical report table 2 notes water levels between 200 and 202 masl at MW106-22 to MW114-22. Please clarify why these measurements were not used in the dewatering estimate and zone of influence calculations and update if applicable.	No further comment.	No further comment.



Revised: May 11, 2020

**Date:** June 22<sup>nd</sup> , 2022

**Attention:** **Nicholas Del Prete**

**RE:** Request for Comments

**File No.:** **OP.22.008, Z.22.0015 & 19T-22V002**

**Applicant:** Dani Cohen, Avenue 7 Developments Ltd.

**Location** 2267 Highway 7 & 7700 Keele Street

Revised: May 11, 2020

### COMMENTS:

- We have reviewed the Proposal and have no comments or objections to its approval.
- We have reviewed the proposal and have no objections to its approval, subject to the following comments (attached below).
- We are unable to respond within the allotted time for the following reasons (attached) you can expect our comments by \_\_\_\_\_.
- We have reviewed the proposal and have the following concerns (attached below)
- We have reviewed the proposal and our previous comments to the Town/City, dated \_\_\_\_\_, are still valid.

Alectra Utilities has received and reviewed the submitted plan proposal. This review, however, does not imply any approval of the project or plan.

The owner(s), or his/her/their agent, for this plan is/are required to contact Alectra Utilities to obtain a subdivision application form (SAF) and to discuss all aspects of the above project. The information on the SAF must be accurate to reduce unnecessary customer costs, and to provide a realistic in-service date. The information from the SAF is also used to allocate/order materials, to assign a technician to the project, and to place the project in the appropriate queue. A subdivision application form is enclosed with this request for comments.

Alectra Utilities will prepare the electrical distribution system (EDS) design for the subdivision. The subdivision project will be assigned to an Alectra Utilities design staff upon receipt of a completed SAF. The design of the subdivision can only commence upon receiving a design prepayment and the required information outlined on the SAF.

Alectra Utilities will obtain the developer(s) approval of the EDS design, and obtain the required approvals from local government agencies for EDS installed outside of the subdivision limit. Alectra Utilities will provide the developer(s) with an Offer to Connect (OTC) agreement which will specify the responsibilities of each party and an Economic Evaluation Model outlining the cost sharing arrangement of the EDS installation between both parties. The OTC agreement must be executed by both parties and all payments, letter of credits and easements received in full before Alectra Utilities can issue the design for construction.

Town Home/Semi Detached municipal and/or private developments require a minimum set back of 3.40M from the street line to any structure such as foundations, outdoor stairs, porches, columns etc..... to accommodate standard secondary service connections.

Revised: May 11, 2020

All proposed buildings, billboards, signs, and other structures associated with the development must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the Ontario Electrical Safety Code and the Occupational Health and Safety Act.

All communication, street light or other pedestal(s) or equipment(s) must not be installed near Alectra Utilities transformers and/or switchgears. Enclosed with this request for comments are Alectra Utilities clearance standards.

Existing Alectra Utilities plant in conflict due to driveway locations or clearances to the existing overhead or underground distribution system will have to be relocated by Alectra at the Developer's cost.

We trust this information is adequate for your files.

Regards,

Mitchell Penner

Supervisor, Distribution Design-Subdivisions

**Phone:** 416-302-6215

**E-mail:** [Mitchell.Penner@alecrautilities.com](mailto:Mitchell.Penner@alecrautilities.com)

**Subdivision Application Information Form is available by emailing** [Mitchell.Penner@alecrautilities.com](mailto:Mitchell.Penner@alecrautilities.com)



**7/10/2023**

**Christina Ciccone**

**Vaughan**

**Vaughan (City)**

**Attention: Christina Ciccone**

**Re: Draft Plan of Subdivision (19T-22V002), ZBLA (Z.22.015), and OPA (OP.22.008); 2267 Hwy 7 and 7700 Keele St., Vaughan; Your File No. 19T-22V002,Z.22.015,OP.22.008**

**Our File No. DTS: 34879 / Circ: 37206**

Dear Sir/Madam,

We have reviewed the circulation regarding the above noted application. The following paragraphs are to be included as a condition of approval:

**Bell Canada Condition(s) of Approval**

1) The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.

2) The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

Upon receipt of this comment letter, the Owner is to provide Bell Canada with servicing plans/CUP at their earliest convenience to [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca) to confirm the provision of communication/telecommunication infrastructure needed to service the development.

It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.

If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

**Concluding Remarks:**

To ensure that we are able to continue to actively participate in the planning process and provide detailed provisioning comments, we note that we would be pleased to receive circulations on all applications received by the Municipality and/or recirculations.

If you believe that these comments have been sent to you in error or have questions regarding Bell's protocols for responding to municipal circulations and enquiries, please contact



[planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca) directly.

We note that WSP operates Bell Canada's development tracking system, which includes the intake and processing of municipal circulations. **However, all responses to circulations and requests for information, such as requests for clearance, will come directly from Bell Canada, and not from WSP.** WSP is not responsible for Bell's responses and for any of the content herein.

Should you have any questions, please contact the undersigned.

Yours Truly,

A rectangular box with a thin black border, containing a small blue square icon with a white question mark inside, indicating a redacted signature.

Juan Corvalan

Senior Manager - Municipal Liaison

Email: [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca).



Enbridge Gas Inc.  
500 Consumers Road  
North York, Ontario M2J 1P8  
Canada

July 7, 2022

Christina Ciccone  
Senior Planner  
Development Planning Department  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1

Dear Christina,

Re: Draft Plan of Subdivision, Official Plan Amendment, Zoning By-law Amendment  
Avenue 7 Developments Ltd.  
2267 Highway 7 & 7700 Keele Street  
City of Vaughan  
File No.: 19T-22V002, OP-22-008, Z-22-0015

Enbridge Gas Inc. does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions.

This response does not constitute a pipe locate, clearance for construction or availability of gas.

The applicant shall contact Enbridge Gas Inc.'s Customer Connections department by emailing [SalesArea30@Enbridge.com](mailto:SalesArea30@Enbridge.com) to determine gas availability, service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving.

If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phased construction, all costs are the responsibility of the applicant.

In the event that easement(s) are required to service this development, and any future adjacent developments, the applicant will provide the easement(s) to Enbridge Gas Inc. at no cost.

The applicant will contact Enbridge Gas Inc.'s Customer Connections department by emailing [SalesArea30@Enbridge.com](mailto:SalesArea30@Enbridge.com) prior to any site construction activities to determine if existing piping facilities need to be relocated or abandoned.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jasleen Kaur'.

**Jasleen Kaur**  
Municipal Planning Coordinator  
**Engineering**

**ENBRIDGE**  
TEL: 437-929-8083  
500 Consumers Rd, North York, ON M2J1P8  
[enbridge.com](http://enbridge.com)  
**Safety. Integrity. Respect. Inclusion.**



DELIVERY PLANNING  
200 – 5210 BRADCO BLVD  
MISSISSAUGA, ON L4W 2G7  
416-262-2394  
CANADAPOST.CA

July 6, 2022

City of Vaughan – Planning Department

To: **Christina Ciccone**, Senior Planner, Development Planning Department

Reference: Files: **OP.22.008, Z.22.015 & 19T-22V002** Related Files: **N/A**  
2267 Highway 7 & 7700 Keele Street  
Ward 4

Canada Post Corporation appreciates the opportunity to comment on the above noted application and it is requested that the developer be notified of the following:

In order to provide mail service to the 8 mix use buildings/towers with retail, office and community space at grade for a total of 3000 residential units, Canada Post requests that the owner/developer comply with the following conditions:

- ⇒ The owner/developer will provide the building with its own centralized mail receiving facility. This lock-box assembly must be **rear-loaded**, adjacent to the main entrance and maintained by the owner/developer in order for Canada Post to provide mail service to the tenants/residents of this project. **For any building where there are more than 100 units, a secure, rear-fed mailroom must be provided.**
- ⇒ The owner/developer agrees to provide Canada Post with access to any locked doors between the street and the lock-boxes via the Canada Post Crown lock and key system. This encompasses, if applicable, the installation of a Canada Post lock in the building's lobby intercom and the purchase of a deadbolt for the mailroom door that is a model which can be retro-fitted with a Canada Post deadbolt cylinder.

As per our National Delivery Policy, **non residential – retail, office and community space will also receive mail delivery at centralized locations, not directly to their door.**

For example: If there is a common indoor entrance or connection extra mail compartments can be provided to accommodate these units in the main mailbox panel. If these units are not part of the building then a separate centralized mail receiving facility/box can be set up by the developer at an alternative location.

The specifications can be found in our Delivery Standards Manual, which can be downloaded from this link: [https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual\\_en.pdf](https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual_en.pdf)

**As the project nears completion, it is requested that the Developer contact me directly for Postal Code(s) as existing postal coding will not apply and new postal codes will be issued for this development. I am also requesting the developer/owner contact me during the design stage of the above project, to discuss a suitable mailbox/mailroom location.**

**Canada Post further requests the owner/developer be notified of the following:**

1. There will be no more than one mail delivery point to each unique address assigned by the Municipality.
2. Any existing postal coding may not apply, the owner/developer should contact Canada Post to verify postal codes for the project.
3. The complete guide to Canada Post's Delivery Standards can be found at:

[https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual\\_en.pdf](https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual_en.pdf)

Should you require further information, please do not hesitate to contact me at the above telephone number or mailing address.

Regards,

*Lorraine Farquharson*

**Lorraine Farquharson**

Delivery Services Officer | Delivery Planning – GTA

**From:** John-Baptiste, Chad  
**Sent:** Monday, April 29, 2024 1:19 PM  
**To:** Christina Ciccone <[Christina.Ciccone@vaughan.ca](mailto:Christina.Ciccone@vaughan.ca)>; Hall, Kristopher <[Kristopher.Hall@wsp.com](mailto:Kristopher.Hall@wsp.com)>  
**Cc:** Proximity <[proximity@cn.ca](mailto:proximity@cn.ca)>  
**Subject:** RE: [External] FW: 2022-07-06\_Final Draft Development Viability Assessment\_2267 Highway 7 & 7700 Keele Street, Vaughan ON

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Good Afternoon,

On behalf of CN Rail, in response to the request of the City of Vaughan, please find below requested official plan policies, zoning regulations and draft plan conditions.

Note that at the present time, per our comments on April 10, 2024, amongst other matters, CN continues to have concerns with respect to the noise study and how it addresses rail operations and potential mitigation in the area. In addition, CN continues to have broad concerns related to the encroachment of sensitive land uses within the proximity of MacMillan Yard. Those concerns have not been addressed at the present time based on the materials provided to CN. As such, CN's position is that the proposed development is premature until all issues of land compatibility have been addressed to CN's satisfaction.

The suggested policy, zoning and draft plan condition language must be considered within that context and is provided as guidance to the City of Vaughan in consideration should the City choose to support the approval of the proposed development at the Ontario Land Tribunal. These comments should not be viewed as CN's support for the proposed development, and they are being provided without prejudice to any position that CN may take at the hearing of the appeals. In addition, note that while warning clauses are helpful, they are not a mitigation measure.

#### Official Plan Policy

1. Based on the review of the Noise Study to date, the subject site is expected to be designated as Class 4 per NPC-300. Land use policies that outline the site as a Class 4 site will be required. This should include reference that Class 4 does not provide federally regulated industries like CN any additional statutory protection. As such, even if a Class 4 designation is approved, additional mitigation measures are required to minimize noise impacts on sensitive land uses.
2. A policy that states that an application for the removal of an Enclosed Noise Buffer or other mitigation measures cannot proceed by way of minor variance and does not constitute a minor variance.
3. A policy that requires a development agreement and easement agreement with CN to ensure mitigation related to rail operations from noise, odour and other emissions.
4. A policy that requires that warning clauses be registered on title, as part of a CN development agreement, regarding emissions from railway operations.
5. A policy that states that, should noise and odour mitigation from adverse effects not be demonstrated and appropriately secured to the satisfaction of CN, that the portion of the site where noise and odour mitigation has not been demonstrated shall not be permitted sensitive land uses.
6. A policy that notes that the development approvals shall take into account mitigation measures from industrial sources in the vicinity of the subject site, this includes consideration for mitigation during the phasing of construction.

#### Zoning By-law

1. The Zoning By-law for the subject site should not be adopted (i.e. the bylaw should be withheld) until such time as a CN development agreement and environmental easement have been registered on title.
2. Should the City of Vaughan choose to bring forward the zoning bylaw, the zoning by-law must include a holding provision regarding the CN development agreement and environmental easement. Prior to the lifting of the hold, the only permitted uses should be the uses that existed on site the date of the adoption of the bylaw.
3. Based on a review of the Noise Study to date, it is likely, but not confirmed that Enclosed Noise Buffers will be a component of the noise mitigation. As such, the zoning bylaw must include a requirement that Enclosed Noise Buffers are required for the appropriate units. Given the concerns with respect to the Noise Study we cannot at present advise on the specific locations of said Enclosed Noise Buffers. Additional information is needed from the developer's acoustical engineer.
4. Based on a review of the Noise Study to date, it is anticipated that additional mitigation measures may be required beyond Enclosed Noise Buffers (such as improved window construction beyond the Ontario Building Code requirements). Due to the limitations regarding site plan control, either a development agreement will be needed to secure these upgrades or zoning bylaw provisions will be required to secure this mitigation.
5. The Zoning Bylaw should restrict the location of sensitive uses where mitigation from adverse effects has not been demonstrated.
6. The zoning by-law should also enforce other mitigation measures as needed based on the final odour study in the absence of a development agreement.

#### Draft Plan Conditions

1. A draft plan condition related to a CN development agreement and environmental easement with CN Rail. Suggested language is as follows:
  - a. The Owner shall be required to enter into a CN development agreement with CN to address and secure mitigation measures from noise, odour and other emissions from railway operations. This CN development agreement shall be registered on title. The Owner agrees that all subsequent development approvals, such as site plan approvals and building permits, shall be based upon the mitigation measures in the CN development agreement. Note that CN Rail operates on a fee recovery basis for the development agreement.
  - b. The Owner shall be required to register an environmental easement to address emissions from railway operations.
2. A draft plan condition that requires that warning clauses be registered on title, as part of the CN development agreement, for future residents and business of the subject site regarding emissions from railway operations to CN's satisfaction. These warning clauses shall be included in future Plans of Condominium, where applicable.

- 3. A draft plan condition that requires warning clauses related to mitigation measures and the need to maintain mitigation measures including acknowledgement of the site's designation of Class 4 (if required) under NPC-300 to CN's satisfaction. These warning clauses shall be included in future Plans of Condominium, where applicable.
- 4. A draft plan condition that states that the conditions related to railway operations and mitigation cannot be modified without the concurrence of CN.

Regards,  
Chad



**Chad B. John-Baptiste, MCIP, RPP**  
Senior Principal, Urban and Community Planning - Ontario

T+ 1 289-982-4013  
M+ 1 647-222-1093

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