

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 100-2019

A By-law to adopt Amendment Number 42 to the Vaughan Official Plan 2010 for the Vaughan Planning Area.

NOW THEREFORE the Council of the Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. THAT the attached Amendment Number 42 to the Vaughan Official Plan 2010 of the Vaughan Planning Area, consisting of the attached text and Schedule(s) “1”, “2”, and “3” is hereby adopted.
2. AND THAT this By-law shall come into force and take effect the day after the last day for filing a notice of appeal.

Enacted by City of Vaughan Council this 12th day of June, 2019.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

AMENDMENT NUMBER 42
TO THE VAUGHAN OFFICIAL PLAN 2010
OF THE VAUGHAN PLANNING AREA

The following text and Schedules “1”, “2” and “3” constitute Amendment Number 42 to the Official Plan of the Vaughan Planning Area.

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

I PURPOSE

The purpose of this Amendment to the Vaughan Official Plan 2010 ('VOP 2010') is to amend the provisions of the Official Plan of the Vaughan Planning Area, specifically, Volume 2, Section 11.6 Maple GO Station Secondary Plan Policies to permit a maximum 16-storey mixed-use residential apartment building on the Subject Lands.

This Amendment will facilitate the following with respect to the Subject Lands identified as, "Lands Subject to Amendment No. 42" on Schedule "1" attached hereto:

1. Designate the subject lands to "High-Rise Mixed-Use";
2. Permit a maximum building height of 16-storeys;
3. Permit a 6.4 m building setback to the south and 6.8 m setback to the north for the portions of High-Rise Buildings above 12-storeys;
4. Amend Map 11.6.B Maple GO Station - Land Use Designation to include the above amendments.
5. Amend Map 11.6.C Maple GO Station - Maximum Building Heights to permit a maximum building height of 16-storeys.

II LOCATION

The lands subject to this Amendment, hereinafter referred to as the "Subject Lands", are located on north side of Eagle Rock Way, west of Troon Avenue, being Part of Lot 21, Concession 3, municipally known as 120 Eagle Rock Way, City of Vaughan, as shown on Schedule "1" attached hereto as "Area Subject to Amendment No. 42."

III BASIS

The decision to amend City of Vaughan Official Plan 2010 (VOP 2010), as amended is based on the following considerations:

1. This Amendment to the Vaughan Official Plan is provided for under Section 17 of the *Planning Act*.
2. The Provincial Policy Statement, 2014 (the "PPS") provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong,

healthy communities; the wise use and management of resources; and protecting public health and safety.

The PPS recognizes that local context and character is important. Policies are outcome oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. The *Planning Act* requires that Vaughan Council's planning decisions be consistent with the PPS. The Development Planning Department has reviewed the Development in consideration of the policies of the PPS and is of the opinion that the Development is consistent with Provincial Policy, specifically the following policies (in part) under Part V - "Policies" of the PPS:

- a) Section 1.1.1 - to accommodate an appropriate range of residential, employment, institutional, recreation, park and open space uses;
- b) Section 1.1.3 - settlement areas being the focus of development based on densities and land uses which efficiently use land;
- c) Section 1.4.3 - directing new housing to locations with appropriate levels of infrastructure and public service facilities. Promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;
- d) Section 1.1.3.4 - appropriate development standards should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation;
- e) Section 1.6.7.4 - a land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation; and
- f) Section 1.6.8.3 - new development proposed on adjacent lands to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities.

This amendment provides for a mixed-use apartment building within a settlement area that adds to the range and mix of housing types in the community, efficiently utilizes the Subject Lands, and provides employment land uses (i.e. retail and office units). The Development represents the final vacant land parcel designated for mixed-uses within the Maple GO Station Secondary Plan area, which will contribute to the ongoing creation of a complete community where residents can live, work and play. It also contemplates a residential density that is appropriate adjacent to the Maple GO Station, as it would support current and long-term use of public transportation. On this basis, the Development is consistent with the PPS.

2. A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019 (the “Growth Plan”) is intended to guide decisions on a wide range of issues, including economic development, land-use planning, urban form, and housing. The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. Vaughan Council’s planning decisions are required by the Planning Act to conform, or not conflict with, the Growth Plan.

The Growth Plan supports better use of land and infrastructure by directing growth to settlement areas and prioritizing intensification, with a focus on strategic growth areas, including urban growth centres and major transit station areas (‘MTSA’).

The delineation of the MTSA boundaries and policies will be undertaken through the York Region Comprehensive Review and the Vaughan Official Plan 2010 (‘VOP 2010’) update. It is anticipated that the Subject Lands will be located within the MTSA boundary for the Maple GO Station and the objective is to concentrate intensifying development within these areas, thereby meeting the intent of the Growth Plan.

This Amendment would permit a development is consistent with the policy framework of the Growth Plan as it optimizes the use of existing land, makes efficient use of existing infrastructure, and provides housing at densities that are supportive of the Growth Plan objectives.

This Amendment would permit a development that will contribute to the goal of creating a complete community by increasing the supply of apartment residential housing within the Maple Go Secondary Plan Area and within the broader community predominately consisting of low-rise residential uses. The Amendment will contribute to a mix of uses, complementing various retail/ commercial uses located to the east of the Subject Lands. Furthermore, the Development contemplates density that is serviced directly by York Region Transit (“YRT”). In addition, it is located adjacent to the Maple GO Station and the Barrie GO rail line, which provides service to and from downtown Toronto and service to Barrie. This higher-order transit line is currently being expanded and will operate services going both northbound and southbound, all-day, by 2025.

The Amendment will facilitate a development to a built-up area where there is existing vacant land and provides for residential units within a settlement area that contributes to meeting the prescribed intensification target of 40% of residential development within a delineated built-up area. The development supports the achievement of a complete community as the Subject Lands

are located within the Maple Go Station Secondary Plan ("MGSSP"), which consists of a diverse mix of land uses, planned built forms, and retail and office uses. The development is also in proximity to existing retail and office uses and the Maple Go Station. Accordingly, this Amendment conforms to the Growth Plan.

3. The Subject Lands are located on the Oak Ridges Moraine and are subject to the provisions of the Oak Ridges Moraine Conservation Plan ("ORMCP"). The Subject Lands are located within the "Settlement Area" designation of the ORMCP which promotes the efficient use of land with transit supportive densities through intensification and redevelopment within existing urban areas. Urban uses and development as set out in municipal official plans are permitted within the Settlement Area. There are no Key Natural Heritage Features or Key Hydrological Features located on or directly adjacent to the Subject Lands. The proposed apartment building use is permitted and conforms to VOP 2010. Therefore, this Amendment conforms to the ORMCP.
4. The York Region Official Plan 2010 (the "YROP") designates the Subject Lands as "Urban Area". The YROP encourages pedestrian scale, safety, comfort and mobility, the enrichment of the existing area with attractive buildings, landscaping and public streetscapes. Infill and redevelopment within intensification areas should be compatible with the built form of adjacent areas and support the use of existing infrastructure, including streets (Policies 5.3.4 and 5.3.6).

The development is located within an Urban Area and will contribute to planned growth within the Region. The Development will also diversify housing options by providing future apartments, retail and office units in the community. The Amendment facilitate a development that conforms to YROP as it will assist in building a complete community.

5. The Subject Lands are designated "Mid-Rise Mixed-Use" by Vaughan Official Plan 2010 ("VOP 2010"), specifically Volume 2, Section 11.6 Maple Go Station Secondary Plan ("MGSSP"). The MGSSP permits a maximum building height of 6-storeys on the Subject Lands, and an overall total maximum gross floor area ('GFA') of 122,398.5 m² dedicated to residential uses and 2,601.5 m² GFA dedicated to retail and office uses within the MGSSP area. Currently, the total GFA devoted to residential and retail/office uses in the MGSSP is 103,586.99m² and 1767.2 m² respectively resulting in an unused GFA of 18,811.51 m² for residential use and 834.3m² for retail/office uses.

The development (Phase 3) consists of a 16-storey mixed-use building with a residential GFA of 11,379.8m² and 447.2 m² of retail/office GFA. The development represents the final phase in the MGSSP area. The development conforms to the maximum GFA permitted for the MGSSP.

The 10-storey element of the development is designed with a 525.8 m² floorplate and is setback approximately 6.9 m from the north property line, and is separated by 10.2 m between building faces on Phase 2 and Phase 3 and 10 m to Eagle Rock Way. However, no principal rooms face each other as units have been intentionally designed to be offset to ensure adequate privacy between Phases 2 and 3. In addition, the wind and shadow studies including recommended mitigation measures, submitted in support of the Applications, demonstrate that there will not be any adverse impact to pedestrian comfort and access to adequate sunlight. The implementing Official Plan Amendment will include policies regarding the minimum separation distance between buildings and building setbacks.

The development includes a mix of residential, retail and office uses consistent with the approved “Mid-Rise Mixed-Use” and proposed “High-Rise Mixed-Use” designations in MGSSP and VOP 2010. The proposed redesignation to “High-Rise Mixed-Use” has no impact on the proposed uses.

The 16-storey portion of the building is located on the east limit of the 6-storey podium-element in order to provide an appropriate transition from the Maple GO Station located adjacent to and west of the Subject Lands. Furthermore, the 16-storey element is setback approximately 10.2 m from the north property line and is designed with a slender profile in order to minimize impacts from shadowing and privacy while providing an appropriate transition to the townhouses located to the north.

The development includes 447.2 m² of retail and office GFA at grade to promote a vibrant and pedestrian oriented environment along the Eagle Rock Way frontage. A front yard setback 0 m is proposed to the canopy whereas, the “Urban Design and Built Form” development policies above encourage a minimum 3 m setback along a public street. The ultimate design of the Eagle Rock Way will be changing through an amendment to the approved Draft Plan of Subdivision and the revised road design will provide opportunities for outdoor cafes and patios in front of the retail spaces offering areas for social interaction.

The proposed 16-storey mixed-use apartment building is compatible and appropriate, but not identical with the existing surrounding area. It will help contribute to the goal of creating a complete community by increasing the supply of apartment residential housing within a broader community. The development will also contribute to the mix of uses within the residential and commercial area and is an appropriate density that is serviced directly by York Region Transit (“YRT”), GO Transit and the GO rail line. The development is considered good planning as it

addresses the policies in the Official Plan.

6. This Amendment is facilitated by Section 37 of the *Planning Act*, VOP 2010, the MGSSP, and the “City of Vaughan Guidelines for the Implementation of Section 37 of the Planning Act”, where Vaughan Council may authorize an increase in building height in return for the provision of community benefits. Sections 10.1.2.9 of VOP 2010 include policies that permit bonusing for increased building and density in return for the provision of community benefits in the form of facilitates, services or other matters provided that the development represents good planning.
7. The statutory Public Hearing was held on January 22, 2019. The recommendation of the Committee of the Whole to receive the Public Hearing report of January 22, 2019, and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Vaughan Council on January 29, 2019. Vaughan Council approved Official Plan Amendment File OP.18.017, (York Major Holdings Inc.) on June 12, 2019, having considered a comprehensive report at a Committee of the Whole meeting on June 4, 2019.
8. On November 29, 2018, York Region exempted this Amendment from Regional approval, in accordance with Regional Official Plan Policy 7.2.7, as it does not adversely affect Regional planning policies or interests.

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

VOP 2010, Volume 2, Section 11.6 of the Maple GO Station Secondary Plan, is hereby amended by:

1. Deleting and replacing Schedule 11.6.B Maple GO Station - Land Use Designation of Volume 2, Secondary Plan 11.6 of VOP 2010 by redesignating the Subject Lands, identified on Schedule “1” hereto, from “Mid-Rise Mixed-Use” to “High-Rise Mixed-Use”, attached hereto as Schedule “2”.
2. Deleting and replacing Schedule 11.6.C Maple GO Station - Maximum Building Heights of Volume 2, Secondary Plan 11.6 of VOP 2010, attached hereto as Schedule “3” by identifying a Maximum Building Height of 16-storeys on the Subject Lands, identified on Schedule “1”
3. Adding the following after Policy 11.6.1.9:
“11.6.1.10 High-Rise Mixed-Use
Notwithstanding Policies 9.2.2.6. b), f) and g) respecting policies that apply to the High-Rise Mixed-Use designation and Policy 9.2.3.6 d.ii. respecting development criteria for High-Rise Buildings, the following uses and building types shall be permitted:
a) Uses Permitted

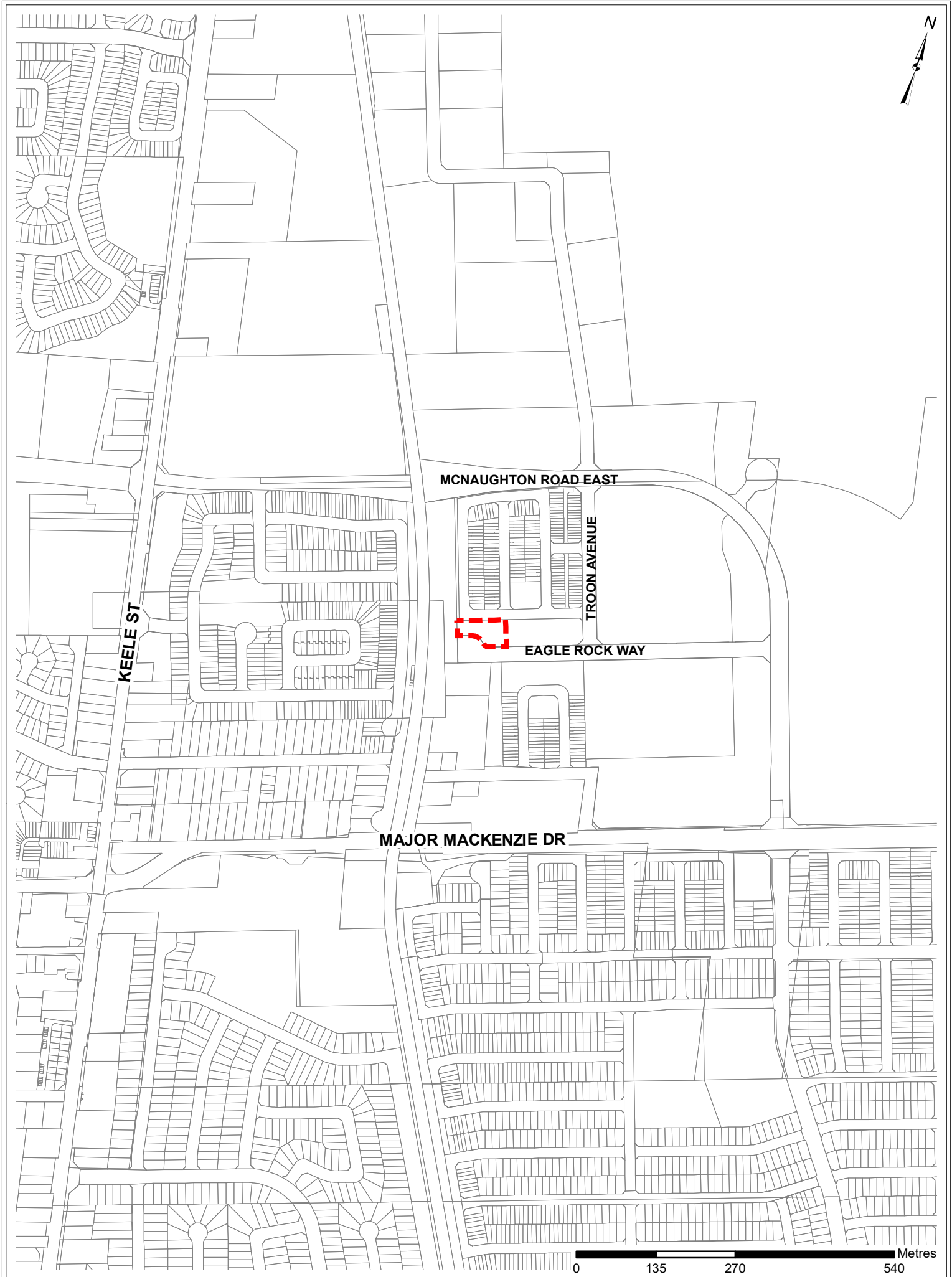
- i. Residential Units
 - ii. Home Occupations
 - iii. Community facilities
 - iv. Cultural Uses, including commercial galleries
 - v. Retail and Office Uses
- b) Building Types
 - i. Low-Rise Buildings
 - ii. Mid-Rise Buildings
 - iii. High-Rise Buildings
- c) The portions of High-Rise Buildings above 12-storeys shall be setback a minimum of 6.4 m from the south property line and 6.8 m to the north property line.
- d) Notwithstanding Section 11.6.1.7 a.ii., a minimum 0 m setback shall be permitted along the Eagle Rock Way frontage.”

V IMPLEMENTATION

It is intended that the policies of the Official Plan of the Vaughan Planning Area pertaining to the Subject Lands shall be implemented by way of an amendment to the City of Vaughan Comprehensive Zoning By-law 1-88, and Site Development Approval, pursuant to the *Planning Act*.


VI INTERPRETATION

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

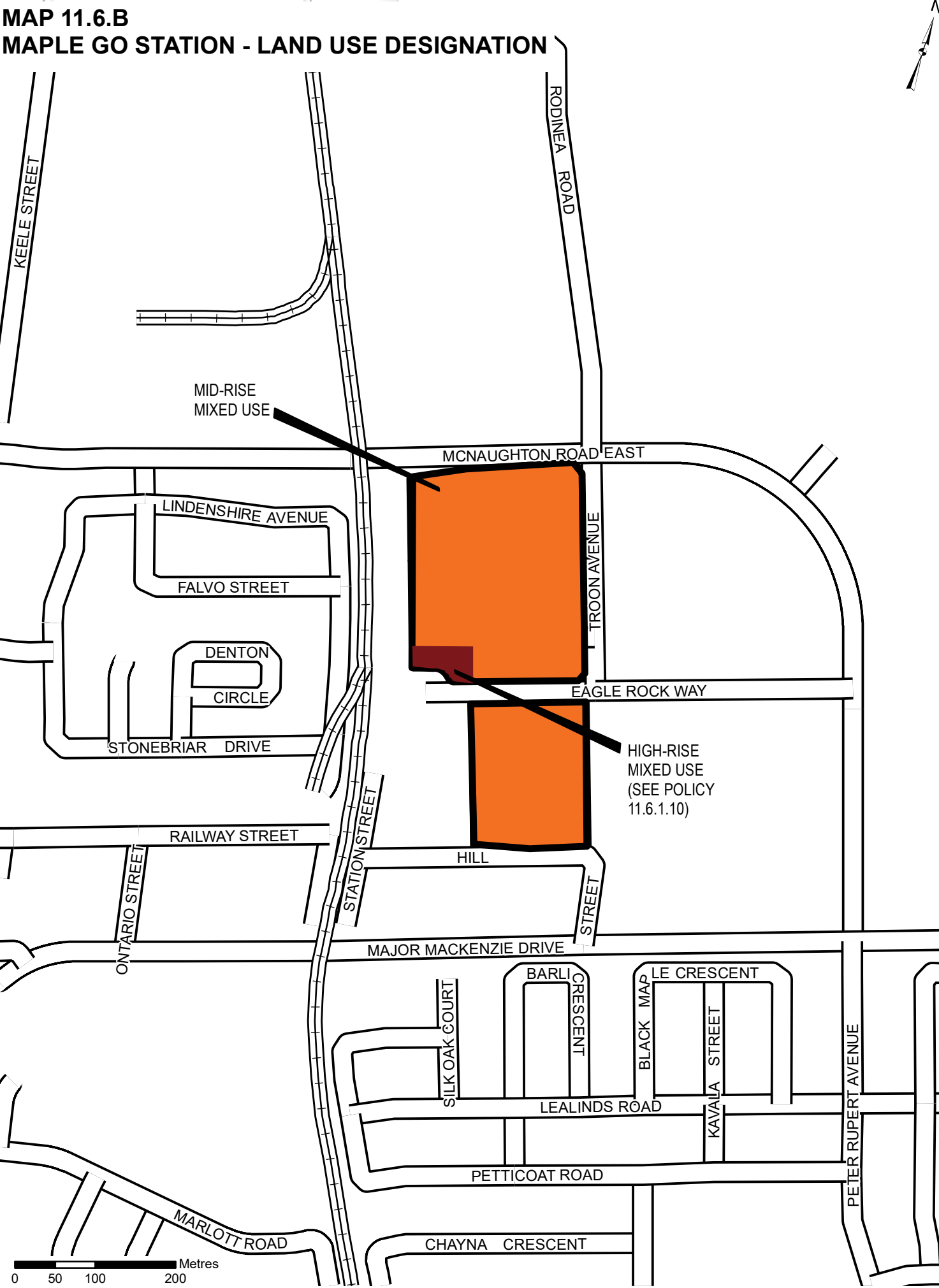


This is Schedule '1'
To Official Plan Amendment No. 42
Adopted the 12th Day Of June, 2019

File: OP.18.017
Related Files: Z.18.029, DA.18.069
Location: Part of Lot 21, Concession 3
Applicant: York Major Holdings Inc.
City of Vaughan

 Lands Subject to
Amendment No. 42

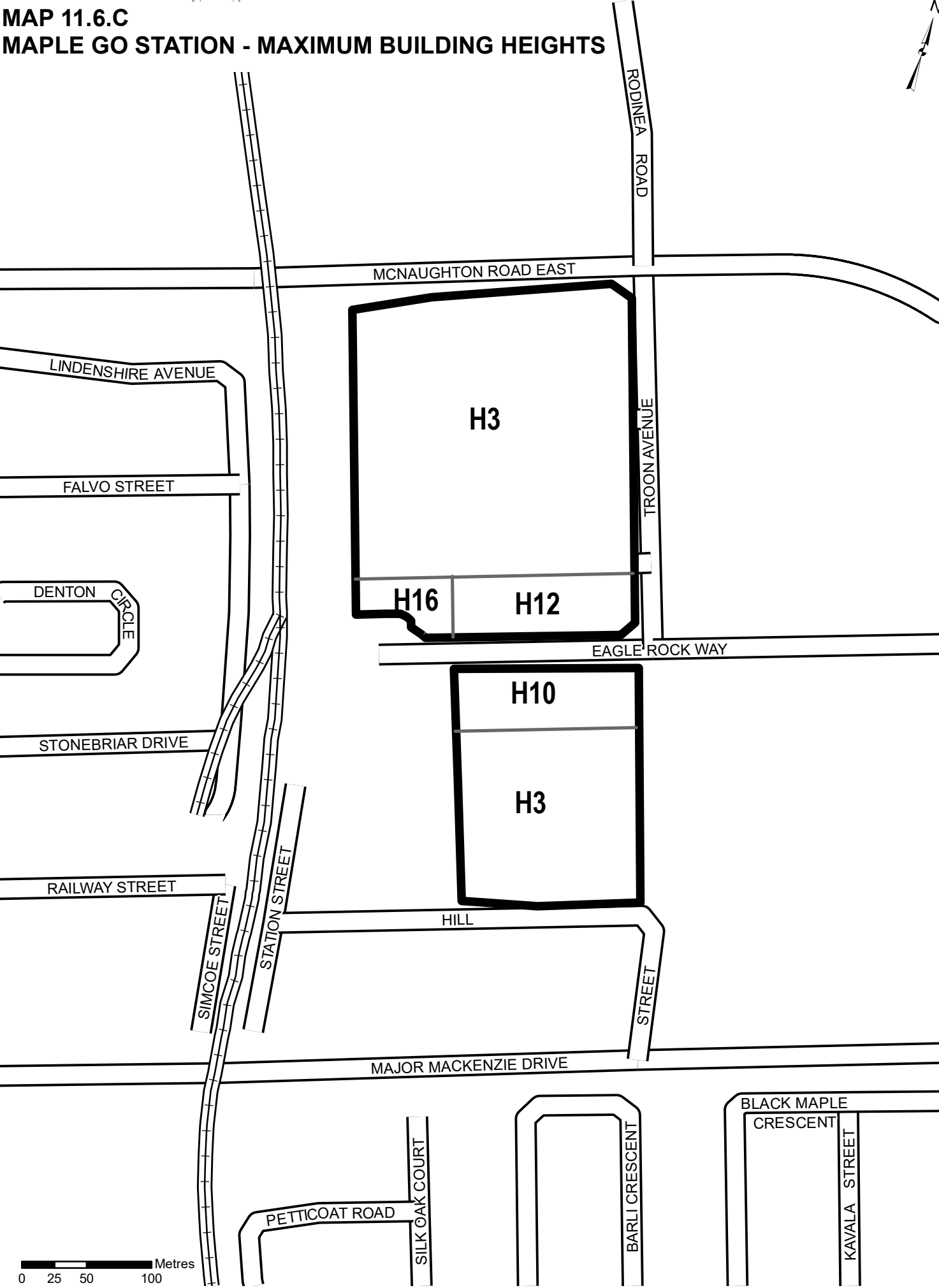
MAP 11.6.B
MAPLE GO STATION - LAND USE DESIGNATION



This is Schedule '2'
To Official Plan Amendment No. 42
Adopted the 12th Day Of June, 2019

File: OP.18.017
Related Files: Z.18.029, DA.18.069
Location: Part of Lot 21, Concession 3
Applicant: York Major Holdings Inc.
City of Vaughan

MAP 11.6.C
MAPLE GO STATION - MAXIMUM BUILDING HEIGHTS



This is Schedule '3'
To Official Plan Amendment No. 42
Adopted the 12th Day Of June, 2019

File: OP.18.017
Related Files: Z.18.029, DA.18.069
Location: Part of Lot 21, Concession 3
Applicant: York Major Holdings Inc.
City of Vaughan

APPENDIX I

The Subject Lands are located on the north side of Eagle Rock Way, west of Troon Avenue and are known municipally known as 120 Eagle Rock Way, Part of Lot 21, Concession 3, in the City of Vaughan.

The purpose of this Amendment is to amend Vaughan Official Plan 2010 ("VOP 2010") Volume 1 and Volume 2, Section 11.6 Maple Go Station Secondary Plan, to permit the development of the subject lands with a 16-storey high-rise mixed-use building.

On June 12, 2019, Vaughan Council ratified the June 4, 2019, recommendation of the Committee of the Whole to approve Official Plan Amendment File OP.18.017 (York Major Holdings Inc.) as follows:

1. *THAT Official Plan Amendment File OP.18.017 (York Major Holdings Inc.) BE APPROVED, to amend Vaughan Official Plan 2010 Volume 1 and Volume 2, Section 11.6 Maple Go Station Secondary Plan, for the Subject Lands shown on Attachment 1 and 2, as follows:*
 - a) *amend Section 9.2.3.6.d.ii. (Volume 1) respecting the "High-Rise Building" design criteria;*
 - b) *amend Section 11.6.1.2.b. Building Types (Volume 2) to add a High-Rise Building type;*
 - c) *notwithstanding Section 11.6.1.7.a.ii., (Volume 2) include site-specific design criteria for the proposed development;*
 - d) *amend Map 11.6.B Maple GO Station - Land Use Designation (Volume 2), to redesignate the Subject Lands from "Mid-Rise Mixed-Use" to "High-Rise Mixed-Use" with a maximum permitted building height of 16-storeys; and,*
 - e) *amend Map 11.6.C Maple GO Station - Maximum Building Heights (Volume 2), to permit a maximum building height of 16-storeys.*
2. *THAT Zoning By-law Amendment File Z.18.029 (York Major Holdings Inc.) BE APPROVED to:*
 - a) *amend Zoning By-law 1-88 to remove the Holding Symbol from the Subject Lands thereby zoning the subject lands RA3 Apartment Residential Zone, subject to site-specific Exception 9(1407), in the manner shown on Attachment 2, together with site-specific exceptions identified in Table 1 of this report;*
 - b) *Permit the bonussing for increased building height from 6 to 16-storeys for the development shown on Attachments 2 to 4.*
3. *THAT the implementing Official Plan and Zoning By-law Amendment include provision for a contribution, pursuant to Section 37 of the Planning Act, for the payment of \$273,100 towards enhancements in the parks located north and south of the Subject Lands and towards public art on Eagle Rock Way, as discussed in this report, which will be implemented through Section 37 Density Bonusing Agreement between the Owner and the City of Vaughan to be executed prior to the enactment of the implementing Official Plan and Zoning By-law Amendments.*
4. *THAT the Mayor and the City Clerk be authorized to execute the Section 37 Agreement, pursuant to Section 37 of the Planning Act, for the implementation of the community benefits.*
5. *THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands comes into effect, to permit minor adjustments to the implementing Zoning By-law.*
6. *THAT Site Development File DA.18.069 (York Major Holdings Inc.) BE DRAFT APPROVED AND SUBJECT TO THE FOLLOWING CONDITIONS to the satisfaction of the Development Planning Department, to permit a 16-storey apartment building with 117 units and 447.2 m² of ground floor retail and office uses, as shown on Attachments 2 to 4, subject to the following:*
 - a) *that prior to the execution of the Site Plan Agreement:*
 - i) *the Development Planning Department shall approve the final site plan, building elevations, landscape plans, landscape cost estimate, public art, bird friendly design treatment, wind tunnel model analysis and signage details;*

- ii) *the Development Engineering Department shall approve the final site servicing and grading plans, erosion and sediment control plan, functional servicing and stormwater management reports, detailed noise impact study, and transportation mobility plan;*
 - iii) *the Owner shall pay all applicable Site Plan fees pursuant to the City of Vaughan Fees and Charges By-law, as amended to the satisfaction of the Development Engineering Department;*
 - iv) *the Owner shall provide the Development Engineering with written confirmation that the construction and alignment of the shoring and retaining wall structures bounding the Subject Lands will not encroach the neighbouring properties, unless written consent of the encroachment from the respective neighbouring property Owner(s) is obtained. Any written consent obtained shall be forwarded to the City for review and record;*
 - v) *the Owner shall enter into an Encroachment Agreement with the City of Vaughan through the Development Engineering Department, for the required shoring, shoring tiebacks proposed to encroach into Municipal Land(s) and for construction hoarding. The Agreement shall be registered against the Lands to which it applies and shall be executed to the satisfaction of the Development Engineering Department. The Owner shall pay the Development Encroachment Agreement fee. Additional payments and securities shall be requested within said Agreement in accordance with the City of Vaughan Fees and Charges By-law, as amended;*
 - vi) *the Owner shall enter into an Amending Subdivision Agreement (City Files: 19T-05V05(S) and 19T-12V011) with the City of Vaughan for all external works on municipal land required to support the proposed development. This includes modifications to Eagle Rock Way, Troon Avenue, Salterton Circle or anything else located on municipal lands. The Agreement shall be registered against the Lands to which it applies and, upon execution, shall satisfy all conditions of the City, financial or otherwise;*
 - vii) *the Owner shall satisfy all requirements of the Environmental Services Department, Waste Management Division, and the Environmental Services Department, Waste Management Division shall approve the final site plan and floor plans for conformity with the Waste Collection Design Standard Policy;*
 - ix) *the Owner shall obtain all necessary approval and shall satisfy all requirements of York Region;*
 - x) *the Owner shall obtain all necessary approval and shall satisfy all requirements of Metrolinx;*
 - x) *the Owner shall enter into a direct connection agreement with Metrolinx regarding the direct pedestrian access from the Underground Parking Level P2 to the Metrolinx lands.*
- b) *The Site Plan Agreement shall include the following clauses:*
- i) *“Snow removal for the development shall be privately administered and the responsibility of the Owner or the Condominium Corporation(s).”*
 - ii) *“That the Owner agree to carry out, or caused to be carried out, the water balance mitigation strategy in accordance with the Water Balance Assessment Report, prepared by Stantec Consulting Ltd., dated December 9, 2016.”*
 - iii) *“Should archaeological resources be found on the property during construction activities, all work must cease and both the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan’s Development Planning Department shall be notified immediately.”*
 - iv) *“In the event that 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 and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services.”*
 - v) *“The Environmental Services Department, Solid Waste Management Division advise that upon a successfully completed application, site inspection and the execution and*

registration of an Agreement with the City, the future Condominium Corporation may be eligible for municipal waste collection services however, should the Condominium Corporation be deemed ineligible by the City or choose not to enter into an Agreement with the City for municipal waste collection services, all waste collection services shall be privately administered and shall be the responsibility of the Condominium Corporation.”

- vi) “The Owner shall provide, in conjunction with an application for a Building Permit, a certification by a noise consultant that the noise attenuation measures identified in the approved environmental noise report have been included in the building plans. Furthermore, prior to the issuance of occupancy permits, the City’s Building Inspector or a Professional Engineer qualified to provide acoustical engineering services in the Province of Ontario shall certify that the noise control measures for the development have been properly incorporated, installed and constructed, all to the satisfaction of the Development Engineering Department.”
- vii) “The Owner shall display a Community Plan in the sales office comprised of information approved by the City of Vaughan, prior to offering any units for sale, to be monitored periodically by the City of Vaughan, and that no Building Permit shall be issued until the Community Plan is approved by the Development Planning Department. The Community Plan shall identify the following:
 - the plan for the broader area, showing the surrounding land uses, arterial roads, etc.;
 - the location of street utilities, entrance features, sidewalks and transit stops;
 - the location of parks, open space, trails and community facilities;
 - the location of institutional uses, including schools, and places of worship;
 - the location and type of retail and office sites;
 - colour-coded identification of detached, townhouse and apartment units;
 - future expansion plans, including the potential parking structure for the Maple GO Station;
 - the following notes in BOLD CAPITAL TYPE on the map; and,

For further information, on proposed and existing land uses, please call or visit the City of Vaughan Development Planning Department, at 2141 Major Mackenzie Drive, L6A 1T1, (905) 832-8585.

This map is based on information available as of (date of map) and may be revised or updated without notification to purchasers. [in such circumstances the Owner is responsible for updating the map in a timely manner and forwarding it to the City of Vaughan for verification].”

- c) that the implementing Site Plan Agreement shall include the following warning clauses and a requirement that these warning clauses be included in the future Condominium Agreement, Condominium Declaration, Articles of Incorporation and all Agreements of Purchase and Sale and/or Lease:

- i) Noise

- “Purchasers and/or tenants are advised that despite the inclusion of noise control features within the Maple GO Station Secondary Plan area and within the dwelling units, sound from increasing road and rail traffic may continue to be of concern and may occasionally interfere with some activities of the dwelling occupants, as the outdoor traffic sound levels may exceed the noise criteria of the municipality and the Ministry of the Environment, Conservation and Parks (“MECP”).”
- “This dwelling unit has been supplied with a central air conditioning system which allows windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the noise criteria of the Municipality and the MECP.”
- “This dwelling unit has been fitted with a forced air heating system and the ducting was sized to accommodate central air conditioning. Installation of central air conditioning will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the criteria of the Municipality and the MECP (Note: The location an installation of the outdoor air conditioning

device should minimize the noise impacts from the unit and comply with the criteria of MECP publication NPC-216, Residential Air Conditioning Devices)."

- *"Purchasers/tenants are advised that due to the proximity of the adjacent GO transit, CN Rail and commercial facilities, noise may at times be audible."*

ii) Canadian National Railway

- *"Purchasers and/or tenants are to be advised that Canadian National Railway or its successors or assigns, have an operating right-of-way within 300 m from the land subject hereof and there may be alterations to the right-of-way including the possibility that the Railway may expand its operations, which expansion may affect the living environment of the residents notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the subdivision and individual units, and that the Railway will not be responsible for complaints or claims arising from use of its facilities and/or operations."*
- *"Purchasers and/or tenants are to be advised that the lot abuts a GO Transit parking lot of which noise and lighting may be of concern due to the nature of the parking lot operation."*
- *"Purchasers and/or tenants are advised that the cul-de-sac at the west terminus of Eagle Rock Way may be reconstructed in the future to facilitate an on-street bus loop and buses may idle without further notice."*
- *"Purchasers and/or tenants are advised that GO Transit is proposing a future structured parking lot expansion which noise and lighting may be of concern due to the nature of the parking lot operation."*

iii) Metrolinx

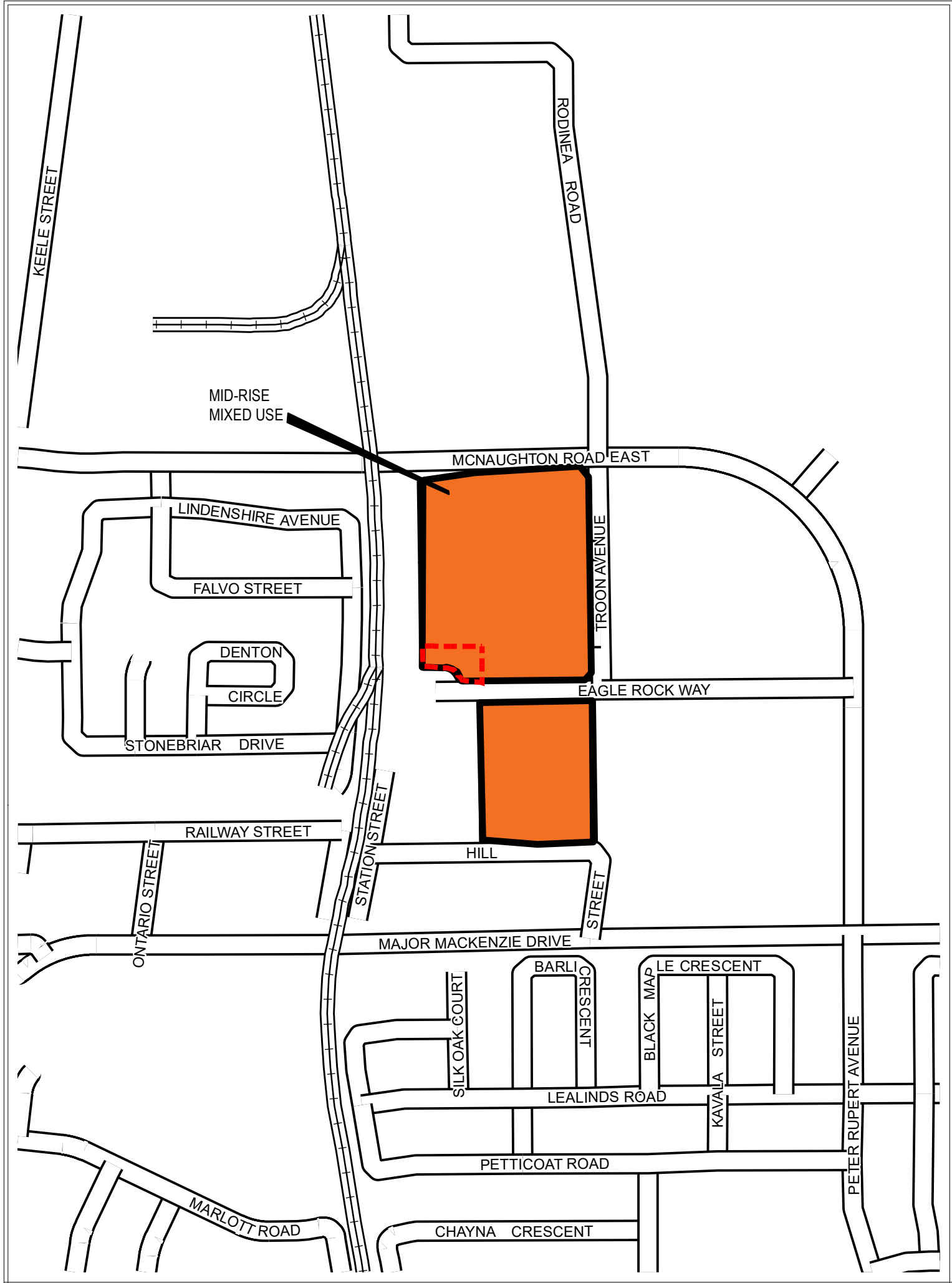
GO Transit requires that all development agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease or in the Articles of Incorporation of the Condominium Declaration of each dwelling unit within 300 m of the railway right-of-way contain the following clauses:

- *"Warning: Metrolinx, carrying on business as GO Transit, and its assigns and successors in interest are the Owners of lands within 300 m from the land which is the subject hereof. In addition to the current use of the lands owned by Metrolinx, there may be alterations to or expansions of the rail and other facilities on such lands in the future including the possibility that GO Transit or any railway entering into an agreement with GO Transit to use the Metrolinx lands or Metrolinx and their respective assigns or successors as aforesaid may expand their operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings. Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under its lands."*
- *"The Owner shall grant Metrolinx an environmental easement for operational emissions, registered on title against the subject residential dwellings in favour of Metrolinx."*
- *"Depending on the method of construction, the Owner may be required to enter into a crane swing and/or a tie back agreement with Metrolinx."*

7. *THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:*

"IT IS HEREBY RESOLVED THAT Site Development File DA.18.069 (York Major Holdings Inc.) be allocated servicing capacity from the York Sewage Servicing/Water Supply System for a total of 117 residential units (259 persons equivalent). The allocation of said capacity may be revoked by Council resolution and/or in accordance with the City's current Servicing Capacity Distribution Protocol in the event that (at the discretion of the City) the development does not proceed to registration within a reasonable timeframe."

8. *THAT the public art feature not be subject to the Public Art Program.*



Appendix II

Existing Land Uses

Official Plan Amendment No. 42


File: OP.18.017

Related Files: Z.18.029, DA.18.069

Location: Part of Lot 21, Concession 3

Applicant: York Major Holdings Inc.

City of Vaughan

 Lands Subject to
Amendment No. 42